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BOARD MEETING
STATE OF CALIFORNIA
INTEGRATED WASTE MANAGEMENT BOARD

JOE SERNA, JR., CALEPA BUILDING
1001 I STREET
2ND FLOOR
CENTRAL VALLEY AUDITORIUM
SACRAMENTO, CALIFORNIA

TUESDAY, JANUARY 17, 2006

9:30 A.M.

TIFFANY C. KRAFT, CSR, RPR
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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

APPEARANCES

BOARD MEMBERS

Ms. Rosario Marin, Chair

Ms. Rosalie Mul

Ms. Cheryl Peace

Mr. Gary Petersen

Ms. Patricia Wiggins

STAFF

Mr. Mark Leary, Executive Director

Ms. Julie Nauman, Chief Deputy Director

Ms. Jeannine Bakulich, Executive Assistant

Mr. Elliot Block, Staff Counsel

Ms. Elsie Brenneman, Budget Officer, Administration and
Financial Division

Mr. Keith Cambridge, Program Manager, Waste Tire Hauler
and Manifest Program

Ms. Helen Carriker, Branch Manager, Financial Assistance
Branch

Ms. Bonnie Cornwall, Supervisor, Special Waste Division

Mr. Mitch Delmage, Manager, Waste Tire Program

Mr. Tom Estes, Deputy Director, Administration & Finance
Division

Mr. Nate Gauff, Staff

Mr. Howard Levenson, Deputy Director, Permitting and
Enforcement Division

Mr. Jon Myers, Assistant Director, Public Affairs Office

Ms. Rubia Packard, Assistant Director, Executive Office

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APPEARANCES CONTINUED

STAFF

Mr. Darryl Petker, Staff

Ms. Shirley Willd-Wagner, Acting Direction, Waste
Prevention and Market Development Division

Ms. Kristen Ye, Program Manager, Used Oil Division

ALSO PRESENT

Mr. Harvey Brodsky, Tire Retread Information Bureau

Ms. Donna Carlson, CRM

Assembly Member Noreen Evans

Ms. Cedar Kehoe, City of Elk Grove

Mr. Terry Leveille, TL & Associates

Ms. Claudia Villacorta, Water Resources Control Board

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1 PROCEEDINGS

2 CHAIRPERSON MARIN: Good morning, everybody.
3 Welcome to the California Integrated Waste Management
4 Board, first meeting of 2006. To start, would you please
5 call the roll.

6 EXECUTIVE ASSISTANT BAKULICH: Mulé?

7 BOARD MEMBER MULÉ: Here.

8 EXECUTIVE ASSISTANT BAKULICH: Peace?

9 BOARD MEMBER PEACE: Here.

10 EXECUTIVE ASSISTANT BAKULICH: Petersen?

11 BOARD MEMBER PETERSEN: Here.

12 EXECUTIVE ASSISTANT BAKULICH: Wiggins?

13 CHAIRPERSON MARIN: Here.

14 EXECUTIVE ASSISTANT BAKULICH: And Marin?

15 CHAIRPERSON MARIN: Here.

16 EXECUTIVE ASSISTANT BAKULICH: Thank you.

17 CHAIRPERSON MARIN: Okay. Are we set? All
18 right.

19 Before I start the meeting, if I may, we have --
20 some of our Board staff knows the very, very sad and
21 tragic news that one of our staff members has passed away.
22 But our other non-staff members may not know. I know that
23 some of you did know Nikki -- I can't pronounce her name
24 well -- Mizwinski. Nikki Mizwinski left work early on
25 Wednesday because she was not feeling well, and she went

1 to the emergency room. On Sunday, Nikki passed away from
2 pneumonia.

3 Nikki surrounded herself with lots of her babies,
4 which she actually had a lot of fish. She called them her
5 babies. She loved her children, and she used to say, from
6 rats to rottweilers and from bunnies to a long fish named
7 Legs. She loved glass, making art glass, and collecting
8 and using all green dishes. She loved chemistry. She
9 loved teaching college chemistry and art classes. Nikki
10 loved her friends, her class friends, her fish friends,
11 and her work friends. She had been with us for almost
12 ten years.

13 I know that she would still want you, all of us,
14 to feel that we love her and that she loves us. And so
15 one of her wishes to the people that care about her and
16 for her is that she would want us to hug people that we
17 love in her memory. And so I want to ask all of you if
18 you would please stand up and hug a person in the memory
19 of Nikki.

20 Our condolences go to her family, but most
21 especially her husband, John Sitts, who also is one of our
22 Board staff members. And I know we're going to miss her.
23 And I want John to know that we are all with him in this
24 most difficult, difficult moment. As those of you that
25 know Nikki, she was very young. I think she was very

1 young. I think, because I'm about her age. It's very
2 hard. It's very tough. I'm sure the people that work
3 with her directly know what I'm talking about, and I know
4 the Board members know her very well. She made quite a
5 few presentations before us. We love her. We wish her
6 well. And we're going to keep hugging each other in her
7 memory.

8 On another very sad note, those of you that know
9 Mike Papanian, most regrettably his mother passed away
10 yesterday. So as you know, he's still working for EPA.
11 And I know he knows all of us are with him on this also
12 very, very difficult day. And I think that there is
13 nothing worse than to lose your own mother. So, Mike,
14 you're in our prayers. We love you dearly. And we wish
15 your family lots of great memories.

16 And then also on another devastating note,
17 Ruthann's mother -- Ruthann's is the advisor for Rosalie.
18 Her mother suffered a stroke over the weekend. So you're
19 not going to see Ruthann for a few days. And I know it's
20 very difficult. Ruthann asks us all to pray for her
21 mother.

22 Okay. For those of you that have never attended
23 the Board meeting, there are speaker slips in the back of
24 the room. We ask you to please turn off your cell phones.
25 And if anybody wishes to address the Board, would you

1 please let Jeannine know, and she will make sure to pass
2 it on to us.

3 Gary, would you do us the honor of doing the
4 Pledge of Allegiance, please.

5 (Thereupon the Pledge of Allegiance was
6 recited in unison.)

7 CHAIRPERSON MARIN: Are there any ex partes that
8 we need to let people know about?

9 Ms. Wiggins? No.

10 BOARD MEMBER PEACE: I'm up to date.

11 CHAIRPERSON MARIN: Thank you.

12 Ms. Mulé?

13 BOARD MEMBER MULÉ: I'm up to date.

14 CHAIRPERSON MARIN: Mr. Petersen?

15 BOARD MEMBER PETERSEN: I'm up to date.

16 CHAIRPERSON MARIN: And so am I.

17 Let's move on to something really nice. And we
18 are so delighted to welcome our newest Board member,
19 former Assemblywoman, Pat Wiggins who is going to be -- I
20 know that she's been attending a lot of the Committee
21 meetings, and we really appreciate you being here.

22 Before we start, we are going to ask another
23 Assemblywoman, her very good friend and actually the
24 person that replaced her when she left the Assembly, Ms.
25 Noreen Evans to come in and do us the honor of swearing

1 Ms. Wiggins in.

2 ASSEMBLY MEMBER EVANS: Before I administer the
3 oath, I do want to just mention that I got to know Pat
4 Wiggins from our years on the Santa Rosa City Council and
5 then she was my predecessor in the State Assembly. And I
6 just to have say that the state of California is going to
7 be very well served by having Pat on this Board. And it's
8 a great honor to me to be able to administer the oath of
9 office. And Pat's husband, Guy, will be holding the
10 Constitution for Pat.

11 So place your left hand on the Constitution. And
12 raise your right hand, repeat after me.

13 (Thereupon the oath was administered.)

14 ASSEMBLY MEMBER EVANS: Congratulations.

15 (Applause)

16 CHAIRPERSON MARIN: We traditionally do something
17 when we welcome -- we traditionally host a little coffee
18 and cake celebration welcoming our new members, and so
19 we're going to do that right now. If that is okay,
20 everybody can join us for the next ten minutes, we're
21 going to have some cake welcoming our newest member, Pat
22 Wiggins. Thank you.

23 (Thereupon a recess was taken.)

24 CHAIRPERSON MARIN: Call the roll, please.

25 EXECUTIVE ASSISTANT BAKULICH: Mulé?

1 BOARD MEMBER MULÉ: Here.

2 EXECUTIVE ASSISTANT BAKULICH: Peace?

3 Petersen?

4 BOARD MEMBER PETERSEN: Here.

5 EXECUTIVE ASSISTANT BAKULICH: Wiggins?

6 BOARD MEMBER WIGGINS: Here.

7 EXECUTIVE ASSISTANT BAKULICH: Marin?

8 CHAIRPERSON MARIN: Here.

9 Okay. Well, let's see. Why don't we start with
10 our -- as she's coming down, I'm going to ask everyone if
11 they talked to anybody that needs to be reported. Do we
12 have any ex partes to report?

13 Ms. Wiggins, do you have any ex partes to report?

14 BOARD MEMBER WIGGINS: No, I do not.

15 BOARD MEMBER MULÉ: Madam Chair, I spoke to
16 Harvey, and I'm sorry I can't remember your last name --
17 Brodsky.

18 CHAIRPERSON MARIN: Mr. Petersen.

19 BOARD MEMBER PETERSEN: Yes. I talked to George
20 Larson.

21 CHAIRPERSON MARIN: Ms. Peace.

22 BOARD MEMBER PEACE: I spoke to Donna Carlson
23 from CRM.

24 CHAIRPERSON MARIN: And Terry Leveille only told
25 me he was going to address the Board ahead of time during

1 public input, and that was it.

2 Okay. We're going to go with reports from Board
3 members. Ms. Mulé.

4 BOARD MEMBER MULÉ: Thank you, Madam Chair.

5 With the holidays and all, don't have too much to
6 report.

7 But on December 22nd, I did a radio interview
8 with KPCC in Los Angeles along with the Los Angeles County
9 Department of Public Works as well as Mark Murray from
10 Californians Against Waste to talk about how Los Angeles
11 County can -- what they are doing in terms of their
12 diversion and diversion programs and then how they can
13 increase and the things they are doing to increase their
14 diversion rate.

15 And then on December 19th, I did meet with
16 members of the Riverside County Solid Waste Operations
17 team to talk about a variety of issues and programs
18 they're working on and we're working on and how we can
19 work closer together.

20 And that concludes my report. Thank you, Madam
21 Chair.

22 CHAIRPERSON MARIN: Thank you, Ms. Mulé.

23 Ms. Peace.

24 BOARD MEMBER PEACE: Actually, rather than share
25 something about what I've done in the past few weeks, I'd

1 like to share something I came across that I think
2 underscores the importance of what we all do here at the
3 Board every day.

4 On December 28th, the San Diego Union published a
5 list of what it called, "Crude Numbers in Forms of
6 Fuelishness." The article begins by stating, earlier this
7 month, climate advisors to Governor Arnold Schwarzenegger
8 announced a slew of ambitious recommendations intended to
9 reduce gas emissions linked to global warming. Americans
10 are energy gluttons. We comprise less than 5 percent of
11 the world's population, but consume 25 percent of all oil
12 produced daily. We burn oil like there's no end to the
13 stuff, though experts estimate we've got 80 years' supply
14 left at current consumption rates.

15 So is it time for a change? Over two dozen
16 statistical facts were displayed. Each was an example
17 designed to demonstrate either the dimension of our
18 fragile oil-dependent culture or the seriousness of the
19 collective impact of our individual behaviors.

20 I could not help but be struck by the critical
21 role our Board plays in reversing many of the mindless
22 oil-dependent trends described. Environmental damage that
23 used to be tolerated as the price of progress we now know
24 to be the barrier to sustain progress in our future.

25 I would like to share with you a few of the facts

1 listed in the article that are of particular relevance to
2 the Board. I hope that reflecting on these realities will
3 make each of us more aware of the value of what we do
4 every day, and we should all be proud that we have the
5 opportunity to make a difference to better our environment
6 and to help assure a more sustainable future.

7 And here is an issue that we're all too familiar
8 with entitled, "Two Billion." If the tires of all the
9 cars on the U.S. roads were properly inflated, it would
10 save an estimated two billion gallons of gas each year.
11 Recycling one ton of plastic saves on average the energy
12 equivalent to 197 gallons of gasoline, and one barrel of
13 crude oil produces 2.5 quarts of virgin motor oil. But
14 one gallon of used motor oil can be recycled into one
15 gallon of usable motor oil.

16 And knowing my frustrations over the conversion
17 technology debate, you'll all understand why this number
18 jumped out at me. Four billion, converting all
19 agricultural waste in the United States into oil and gas
20 would yield the energy equivalent of four billion barrels
21 annually.

22 And, finally, without comment, I leave you with
23 one last statistic. If every household in the United
24 States replaced one package of 20-count trash bags made
25 from virgin plastic with 100 percent recycled plastic

1 bags, it would save 101,500 barrels of oil, reduce
2 landfill space by 1.8 million feet, and eliminate 37,800
3 tons of pollutants.

4 And that concludes my report.

5 CHAIRPERSON MARIN: Okay. Mr. Petersen.

6 BOARD MEMBER PETERSEN: Thank you, Madam Chair.

7 I guess I've been on a film march -- plastics
8 film march. I have been going to some of the people I
9 know in the business for the last 30 years to find out
10 where we all stand on this issue and why things aren't
11 moving forward. So in the past month, I have visited with
12 dealers and brokers, collectors, operators of MRFs, wash
13 and grind, regrind lines, and equipment manufacturers to
14 find out what the situation is and where we can go and the
15 possibilities that are out there for film plastics
16 recycling.

17 And I also have visited with the electronic
18 recyclers down in the Vista area and saw the facility down
19 there and how they're processing computer screens and
20 everything and what they're doing with materials and what
21 the materials are made into. It was very educational.
22 And the gentleman who runs this who started this is quite
23 an entrepreneur and fabulous. It's just amazing what he's
24 put together. And it's a real model for everybody to see.
25 So that's my report.

1 CHAIRPERSON MARIN: So instead of calling you the
2 recycler man, now you're going to be the plastic man?

3 BOARD MEMBER PETERSEN: I want to be the film
4 man.

5 CHAIRPERSON MARIN: Okay.

6 Ms. Wiggins, I know that you really joined us at
7 the very beginning of the year. Mr. Fabian Nez had the
8 wisdom to appoint you. And from day one, you started
9 getting yourself swamped with everything about the Board.
10 Is there anything you'd like to share with us? And
11 welcome again to our Board.

12 BOARD MEMBER WIGGINS: Thank you so much. Well,
13 I guess what I would share, appreciate what Board Member
14 Cheryl Peace was talking about, I do drive a Honda Hybrid.
15 And I have a bumper sticker that says, "Renewable energy
16 is homeland security." That's it.

17 CHAIRPERSON MARIN: Well, thank you.

18 I did a couple of things. I actually went to
19 Agilent Technologies in Santa Rosa back on December 14th.
20 We presented Agilent a WRAP of the Year Award. And that
21 was an incredible campus that they have there. It was
22 very, very nice. And I'm very happy. And Piper and -- I
23 don't know who else came with us. But I know that they
24 were very pleased. They were very happy to receive the
25 award, as only five companies this year get it. So they

1 were very, very special. They felt very special.

2 I attended on December 15th a CalEPA Border 20/12
3 Regional Workshop meeting in San Diego.

4 On January the 10th, we brought together a group
5 of -- anti-litter group. And we're just meeting to find
6 out how many agencies and their different programs deal
7 with litter. And it was remarkable to find out the great
8 work that not just government but certainly the nonprofit
9 agencies, how many resources, how many resources are being
10 spent trying to clean California and keep it beautiful.

11 And the whole idea is to somewhere, somehow
12 understand how we can actually collaborate if we all knew
13 what all our efforts are. I believe that it will provide
14 for a greater opportunity of collaboration, and that's
15 what we did. So I suspect we are going to be having more
16 and more meetings. And to the degree that is possible,
17 create opportunities so that more than one agency does
18 something related to litter. There is more, there is a
19 true collaboration in this effort.

20 On January 12th, we had the CalEPA budget roll
21 out for the Legislative staff. And, luckily, we went in
22 and we came out with all the money that we had requested.
23 There were not any questions at all. So I think we're
24 going to be okay.

25 And then on January 13, I presented a big check

1 to Contra Costa County for their tire enforcement
2 programs. And Assemblywoman Loni Hancock, that's her
3 district. So we went there and she had a great time. As
4 all of you know, she's a defender of the environment. And
5 I was very pleased to present them with a check for their
6 program. So that was last Friday.

7 Anyways, with that, let me move to Mr. Leary.

8 And then after that will be public comment. And you're
9 just going to tell us how great of a group we are, aren't
10 you?

11 EXECUTIVE DIRECTOR LEARY: I certainly will,
12 Madam Chair. And it will be with great pleasure.

13 But before I do so, Madam Chair, it's not often I
14 get a chance to one-up you. But I have the pleasure of
15 introducing the most recent appointment to the Integrated
16 Waste Management Board by Governor Arnold Schwarzenegger.
17 Margo Reid Brown is in the back row as an interested
18 observer today.

19 Margo, if you wouldn't mind standing.

20 (Applause)

21 EXECUTIVE DIRECTOR LEARY: As you all know, Margo
22 will be joining us on February 1st. At next month's Board
23 meeting, she'll be up there among you. We're looking
24 forward to that as staff, and I'm sure you are, too.

25 CHAIRPERSON MARIN: Well, I'll just tell you, if

1 I had seen -- I didn't put my glasses on. If I had seen
2 her walk in, I would not have given you the privilege.

3 (Thereupon an overhead presentation was
4 presented as follows.)

5 EXECUTIVE DIRECTOR LEARY: It's not often I get
6 that opportunity, Madam Chair.

7 I would like to first of all on behalf of staff
8 welcome former Assembly Member Pat Wiggins. We're also
9 appreciative of your appointment. And you're already
10 here.

11 And I'm looking forward to giving you this
12 report, which summarizes our 2005 accomplishments. But
13 I'd like to, Madam Chair, dedicate this report, however
14 inadequately I do, to Nikki Mizwinski. She speaks to the
15 spirit of this organization. She touched a number of
16 these accomplishments I'll be part of. And just in the
17 spirit of her interests and her big heart, I'll present
18 this report of our 2005 accomplishments.

19 We're striving to create a sustainable
20 California. That's not news to anyone.

21 --o0o--

22 EXECUTIVE DIRECTOR LEARY: I have a number of
23 categories I'd like to report on. First is how the Board
24 is leading by example.

25 --o0o--

1 EXECUTIVE DIRECTOR LEARY: Governor Arnold
2 Schwarzenegger issued an Executive Order in June of this
3 year attacking climate change, and he acknowledged the
4 Board's very strong role in that by naming Chair Rosario
5 Marin as a member of that Climate Action Team and creating
6 a strong link between waste prevention and recycling and
7 greenhouse gas emissions.

8 We've identified three important strategies for
9 ourselves. And among those strategies, we expect to
10 achieve greenhouse gas reductions by five million metric
11 tons carbon dioxide equivalents by 2010 and nine million
12 metric tons of carbon dioxide equivalents by 2020. We
13 certainly have our work cut out for us, but we're looking
14 to achieve his objectives.

15 --o0o--

16 EXECUTIVE DIRECTOR LEARY: Also in leading by
17 example, something the Board is probably not intimately
18 familiar with but will be as we roll out more details
19 about the Green Procurement Action Plan, and that is our
20 effort with the Department of General Services and
21 Director Ron Joseph and Procurement Division Director Rita
22 Hamilton in the whole area of environmentally preferable
23 purchasing. We've had a task force in place for a number
24 of years, but it isn't until these folks came into office
25 that we've really been able to make some accomplishments.

1 It's their spirit to join us and try to affect State
2 purchasing in an environmentally preferable way that we
3 made an effort to accomplish a number of things.

4 This first of which is the Environmentally
5 Preferable Purchasing Best Practices Manual, a document by
6 which all State procurement officers will have an
7 opportunity to select products that not only offer the
8 best value, but are good for employee health and the
9 environment. This online manual will go live at the end
10 of tomorrow as part of our Environmentally Preferable
11 Procurement Task Force meeting that will occur here in the
12 building tomorrow morning.

13 --o0o--

14 EXECUTIVE DIRECTOR LEARY: Also leading by
15 example, the Waste Board is at the heart of this
16 building's environmental management system. And together
17 with other building occupants, we've done a number of
18 things in seeking ISO 14001 certification as a
19 fundamentally environmental management system.

20 Just a couple of examples here. We've increased
21 postconsumer recycled content in building paper purchases
22 from 30 percent to 100 percent. We are the only building
23 in State government that uses 100 percent recycled content
24 paper used exclusively. We have the Best Practices
25 Manual, as I mentioned, will be rolled out tomorrow. And

1 a number of other activities that are occurring here in
2 the building that are leading the way as a LEED platinum
3 building.

4 --o0o--

5 EXECUTIVE DIRECTOR LEARY: Green lodging is a
6 part of our leading by example. And this Board has
7 identified green hotels for which State employees can
8 travel within. To date, 91 hotels have been surveyed and
9 field tested. Seventy-four have been certified in the
10 program. There're an additional 67 properties that have
11 expressed an interest and are awaiting the survey.

12 I don't want to fail to mention that the IWMB has
13 successfully developed corporate partnerships with San
14 Francisco based Kimpton Hotel Group and the Los Angeles
15 based Hilton Corporation, expanding the enrolled list to
16 include California owned and operated properties.

17 --o0o--

18 EXECUTIVE DIRECTOR LEARY: Another major area
19 that we're accomplishing great things, of course, managing
20 California's waste.

21 --o0o--

22 EXECUTIVE DIRECTOR LEARY: As you all know very
23 well, the roll out of the Electronic Waste Recycling
24 Program been very successful, largely attributable to the
25 Waste Board staff and our partnership with DTSC and BOE.

1 We collected almost \$50 million. We've turned around and
2 paid out about 14 million so far for 29 million pounds of
3 electronic waste. We started from zero to 29 million
4 pounds in a period of a year. We have another \$7 million
5 pending approval. We're moving fast and furious.

6 --o0o--

7 EXECUTIVE DIRECTOR LEARY: In 2003, we conducted
8 a waste characterization that is guiding our activities.
9 Actually, the waste was sampled in 2003, and the report
10 was collected in 2004 and shaped our thinking in 2005.
11 And this becomes the basis for a lot of our decisions as
12 we move forward, an exhaustive effort.

13 --o0o--

14 EXECUTIVE DIRECTOR LEARY: We had fun this year,
15 but we had fun in a successful way. A large venue
16 diversion is an opportunity where we can demonstrate
17 recycling in the most high profile events. The two events
18 we targeted this year were the 2005 California Governor
19 and First Lady's Conference on Women and Families. We got
20 to 85 percent diversion in that one event. Next year,
21 we're striving for 100 percent.

22 Separate and apart from that, the Best Buddies
23 event, another high profile event that is fundamentally
24 mobile in it's nature and makes it that much more
25 difficult -- but we're not ready to take on the easy

1 stuff. We want to do the hard events. We took on Best
2 Buddies. We did it in 2004, got to 65 percent. This year
3 with the help of the San Luis Obispo County Integrated
4 Waste Management Authority, we got to 95 percent in a
5 diversion event that took place over 100 miles.

6 --o0o--

7 EXECUTIVE DIRECTOR LEARY: Also we're doing good
8 things in the plastic stream, even if it means assessing
9 some settlements and fines. We sent out 75 certification
10 packages for our RPPC compliance. Of those, 17
11 demonstrated compliance; 23 said they were not regulated;
12 7 demonstrated they only use the containers for which
13 products were exempt. But we also assessed some fines and
14 penalties in the form of stipulated agreements. We
15 collected \$23,000 this past year, with an additional
16 \$5,000 expected.

17 --o0o--

18 EXECUTIVE DIRECTOR LEARY: We lead the way by
19 assisting in the environmental arena. We provide some
20 economic help in the form of our RMDZ Program. Thirteen
21 new zones completed their renewal process, so a total of
22 31 businesses this year diverted 9.8 million tons and
23 created over 12,000 jobs. We approved nine loans, \$8 1/2
24 million. We diverted another 410,000 tons, 118 jobs.
25 Together, totally we leveraged \$48 million in capital and

1 based on the 82 million lent from the Board to date.

2 --o0o--

3 EXECUTIVE DIRECTOR LEARY: Also in helping
4 businesses and agencies through the Reuse Assistance
5 Grants and the Tire Grants. In reuse assistance, we
6 provided a totaled of 250,000 annual for local public
7 agencies: Six jurisdictions, three counties and three
8 cities. One example is the city of Lomida's Food Finders
9 project totaled 411,000 pounds of food during the grant
10 term, providing 880,000 meals for the needy and
11 contributing 1 percent to the city's diversion rate in
12 that one Reuse Assistance Grant.

13 Of course, the Tire Grant has very many
14 successful programs. We had seven grant programs, awarded
15 216 grants, totaled \$12 million during 2004 and \$12
16 million again in 2005.

17 --o0o--

18 EXECUTIVE DIRECTOR LEARY: We honor Californians
19 doing good things on their own through the Waste Reduction
20 Awards Program; 231 separate applications representing
21 almost 2,000 locations. The organizations told us they
22 diverted nearly 1.8 million tons as part of our
23 recognition. Additionally, their waste reduction efforts
24 during the past year have saved over \$140 million in
25 operating costs. 2005 was our 13th year for this program.

1 --o0o--

2 EXECUTIVE DIRECTOR LEARY: In our grant
3 streamlining process, of which we're producing efficiency,
4 we're trying to get our money out better in support of the
5 environment and the economy. One of the ways we're doing
6 this, and you'll hear much more about this later in the
7 agenda item, is the grant streamlining process. At the
8 Board's direction, and we heard you loud and clear, we've
9 heard stakeholders loud and clear, we're making all kinds
10 of improvement to the grant streamlining so that we'll get
11 our money out more rapidly and in a more responsive
12 manner. Put it in their hands when they need it.

13 --o0o--

14 EXECUTIVE DIRECTOR LEARY: We've cleaned up
15 California, and in a place near and dear to former
16 Assembly Member, now new Board Member Pat Wiggins' heart,
17 in the Sonoma County area. There are eight waste tire
18 sites. We've completed work on four now as we conclude
19 2005. We've removed 12,800 tons of waste tires in
20 combination with the property owners. Restoration work on
21 these four sites have been completed by the land owners'
22 contractor, thus minimizing future erosion control for
23 this area. Removal of these tires has eliminated the
24 potential fire hazard and maybe more importantly
25 significantly reduced the threat from the West Nile Virus

1 in Sonoma County.

2 We're hoping the next four sites will be done
3 next coming spring and summer so at this time next year as
4 I look back on 2006, Sonoma sites will be a faint memory.
5 Maybe not so faint.

6 --o0o--

7 EXECUTIVE DIRECTOR LEARY: Also in the Tracy tire
8 fire, another huge cleanup for our Tire Program, we've
9 removed 382,000 tons of ash debris and oil waste. Nearly
10 completing the total removal of this process has taken
11 multiple years. We are reluctant to suggest we might be
12 done as early as 2006, since we've missed a couple other
13 projections in the past. But with the latest hitch in
14 cleaning up the groundwater, we will be completely done
15 when we finish that. But kudos to the Tire Cleanup
16 Program for making great efforts in this area.

17 --o0o--

18 EXECUTIVE DIRECTOR LEARY: It's not just tire
19 sites. In the L.A. area, the La Montaa Landfill,
20 somebody tried to make it a landfill, but we had to go
21 clean it up. \$2.3 million cleanup project that was
22 established by a court order in October 2004. But we've
23 turned that clean up into what we hope to soon become a
24 park in the city of Huntington Park.

25 In the BKK Landfill, through the use of \$1.2

1 million in funding, we completed some storm drain related
2 work that has set the stage for the full cleanup of the
3 BKK Landfill in concert with the Department of Toxic
4 Substances Control.

5 --o0o--

6 EXECUTIVE DIRECTOR LEARY: We continue to do
7 cleanups throughout the state. Red Rock Canyon State
8 Park, 200 tons. Cleanup programs with the city of
9 Oakland, illegal disposal sites, another 3300 tons.
10 Oakhurst, Pryshepa, New Idria, throughout the state we're
11 doing site cleanups resulting in almost 1700 tons of
12 illegally dumped solid waste being removed and 280 tons of
13 metal being recycled.

14 -o0o--

15 EXECUTIVE DIRECTOR LEARY: Enforcement is a
16 target for the Waste Board. And 2005 is a productive year
17 in that sense.

18 --o0o--

19 EXECUTIVE DIRECTOR LEARY: We conducted 124
20 inspections of permitted and unpermitted waste tire
21 facilities resulting in Letters of Violations. This is
22 just in 2004. What's dramatic here is the accomplishments
23 that occurred in 2005 went from 124 inspections to 535
24 inspections. We're ramping up our enforcement effort.
25 Sixty-nine Notices of Violations in 2005; twelve

1 administrative complaints. We're making good things
2 happen in the Tire Enforcement Program.

3 --o0o--

4 EXECUTIVE DIRECTOR LEARY: Another enforcement
5 program through -- well, actually in our new partnership
6 with the local governments, we've increased our inspection
7 potential by ten fold in order of magnitude or up to 6,611
8 inspections with 438 Letters of Violation, further
9 emphasizing the potential for the partnership with local
10 government and how much that can expand our enforcement
11 presence throughout the state.

12 In 2005, last bullet there, grantees inspection
13 resulted in 538 new illegal sites being remediated or
14 cleaned up and totaling the cleanup for over 66,000 tires.
15 The partnership is working.

16 --o0o--

17 EXECUTIVE DIRECTOR LEARY: Further, in the
18 Manifest Program, we went to a new form. And the
19 comprehensive trip log form that was introduced in July of
20 2005 has been very successful in its implementation and
21 reduced paper, as it says in the first bullet, by 82
22 percent. So saving staff time and haulers' time, yet
23 still providing the comprehensive manifest for the
24 movement of tires throughout the state.

25 --o0o--

1 EXECUTIVE DIRECTOR LEARY: And finally I think is
2 the educating of California.

3 --o0o--

4 EXECUTIVE DIRECTOR LEARY: We've made great
5 strides through the implementation of the Pavely Bill, and
6 I'd just simply like to report to you in 2005 we're on
7 schedule. We've developed the environmental principles
8 and concepts, and we've developed the alignment with
9 California standards so that with the help of an RFP
10 that's going out this week, we'll be hiring an education
11 consultant and we'll be ready to ramp up the education
12 environmental initiative.

13 --o0o--

14 EXECUTIVE DIRECTOR LEARY: I'd like to quickly
15 update our action plans that the Board set as priorities
16 last January. We've made some good progress on some, not
17 maybe as far along on others as we'd like. I'm just
18 setting the stage here today so in Committees next month
19 we'll have a thorough discussion and a comprehensive
20 update for you all through the Committee process in
21 preparation for the Board's retreat or long-term planning
22 meeting that will occur that same week.

23 --o0o--

24 EXECUTIVE DIRECTOR LEARY: In the universal waste
25 action plan, we've done a number of things: Ongoing

1 advice to local jurisdictions on handling
2 responsibilities. We piloted a web-based reporting
3 system. We provided guidance to the LEAs on enforcement
4 responsibilities for universal waste. And we've conducted
5 preliminary planning and internal vetting of proposals,
6 including the HHW Grant for u-waste planning by local
7 jurisdictions.

8 --o0o--

9 EXECUTIVE DIRECTOR LEARY: In technology
10 assistance, we've created a special project team that we
11 announced last week for evaluating new solid waste
12 management technologies and really targeting this effort
13 as a priority. We have our Conversion Technology Forum in
14 April. We have the Landfill Gas to Hydrogen Workshop next
15 week. We have the Santa Barbara Air Pollution Control
16 District emission testing contract for post-MRF feedstock
17 that will really ramp up this year that you all allocated
18 and approved last year. We're going to be updating our
19 landfill gas monitoring contract, updating our inventory
20 of landfill gas to energy projects at all landfills in the
21 state. We're finally getting this thing rolling, and I
22 think we'll have a lot to report to you at the end of
23 2006.

24 --o0o--

25 EXECUTIVE DIRECTOR LEARY: Enforcement and

1 training, you approved a major expansion of our LEA
2 training program last month. We've done a discussion item
3 on statutory issues related to enforcement and permitting.
4 And of course, we're participating in a CalEPA enforcement
5 initiative identifying any number of efforts through that
6 initiative.

7 And with that, Madam Chair, I conclude my what I
8 hope to be a brief report. I think we have much to be
9 proud of. I think we've set the stage very well for a lot
10 of good things to happen in 2006. So with that, I
11 conclude my presentation.

12 CHAIRPERSON MARIN: Thank you, Mr. Leary. I
13 really appreciate it.

14 The only thing -- I know all my other Board
15 members know that. But let me just tell you, Ms. Brown
16 and Ms. Wiggins, if anybody told you that what you got was
17 a plum job, as you can see, there's a lot of work and a
18 lot of issues. And more importantly what makes it so
19 wonderful is the fact that we, in fact, have a great
20 impact on the environment. And that is something that we
21 all cherish, all of is.

22 I used to say that when people were talking
23 about, "You got a plum job," it turned out to be a prune
24 sometimes. This is nothing what anybody anticipated. I
25 loved every minute of this Board and what you can see in

1 just this one year. Ms. Mulé, both of us came in at the
2 same time. And when you look back at what we've done in
3 the last year, my colleagues and I, I'm just amazed. We
4 have 434 and soon to be 450, give and take a few, people
5 that work every day very hard to make us all shine, but
6 more importantly to keep Californians healthy. And it's a
7 great honor. So we welcome you both, Ms. Wiggins and
8 Ms. Brown. You're going to have a great time. And can't
9 wait to have a full compliment over here.

10 Does anybody need to make any comments right now?

11 Ms. Mulé.

12 BOARD MEMBER MULÉ: Thank you, Madam Chair.

13 Mark, that was a great report. I really
14 appreciate the overview. Because, you know, sometimes we
15 get so caught up in our day-to-day activities, we
16 sometimes forget to reflect back and celebrate our
17 accomplishments. And so that's what I see this as, a
18 celebration of our accomplishments. And, of course,
19 there's a few things that you didn't mention that we're
20 working on. But we can't list everything, because they
21 are ongoing. But, again, I appreciate the report.
22 There's a lot to be proud of. But as Board Chair Marin
23 was just saying, I mean, we work hard and we've got a lot
24 of work to do yet. So I also look forward to you, Margo,
25 being on the Board. And welcome again, Pat. We really

1 appreciate having you on the Board. Thank you.

2 CHAIRPERSON MARIN: Okay. And I have to say
3 this, because if not, I'm going to explode. But with five
4 women, Mr. Petersen --

5 BOARD MEMBER PETERSEN: I've been thinking about
6 that.

7 EXECUTIVE DIRECTOR LEARY: Gary, you're not the
8 only one.

9 BOARD MEMBER PETERSEN: I'm trying to figure out
10 where I should sit.

11 BOARD MEMBER WIGGINS: In the middle.

12 CHAIRPERSON MARIN: I'm sure -- I understand your
13 wife is wondering about what do you do to deserve this
14 punishment.

15 BOARD MEMBER PETERSEN: She asks, "What are you
16 doing up there?"

17 CHAIRPERSON MARIN: Anyways, we welcome both of
18 you. Thank you very much.

19 Next month, Ms. Brown, we'll have the pleasure of
20 swearing you in formally. But we thank you for being here
21 today. That was very nice of you.

22 Okay. Public input. At this point in time,
23 anybody that wishes to address the Board on issues not as
24 stated on the agenda is welcome to do that. And we have
25 none other than Mr. Terry Leveille.

1 MR. LEVEILLE: Thank you, Madam Chair and Board
2 members. And welcome, Board Member Wiggins. I'm Terry
3 Leveille with TL & Associates and the California Tire
4 Report. And I've just got a couple of quick items today
5 that I'd like to convey to you that I have been mulling
6 over over the last weekend and I figured this was a good
7 time to talk to you.

8 One is a contract that was approved by the Board
9 in May of 2003. It was actually let out by the Board May
10 of 2003. It was the interagency agreement with U.C.
11 Riverside. And that contract had a Scope of Work that a
12 report was due in 225 days, about seven-and-a-half months.

13 A year ago, I wrote in a Cal Tire Report that
14 that contract still was not available -- or that report
15 was still not available. And because of that, a number of
16 companies were omitted from participating in some of the
17 Tire Grant Programs. And a \$300,000 allocation for an
18 updated report had to be deferred because of that contract
19 not being available.

20 That contract is for the technical evaluation and
21 economic analysis of pyrolysis, gasification, and
22 liquefaction. This is a technology that I'm sure the
23 Board members -- most of the Board members are well
24 familiar with. Questionable economics. It works, but it
25 doesn't work here, because there's certainly not the

1 significant subsidies required to turn tires into a closed
2 vessel technology and turn them into component parts of
3 gas, oil, and carbon black.

4 But never the less, we did need to get that
5 report finished. It should have been finished two years
6 ago. And to this date I get calls once a month from a
7 couple of different companies wondering when the report is
8 going to be due. These are people that would like to be
9 participating in helping California divert more tires.
10 Whether or not their visions are Pollyannish and utopian,
11 that's one thing. But the Board -- you know, when I asked
12 staff when this report is coming due, it's in the
13 pipeline. That pipeline is very, very long.

14 So I just wanted to convey that there are a
15 number of people out there in the stakeholders that are
16 out there that are frustrated by it. And I mentioned it
17 to Jim earlier today, too, that I was going to be speaking
18 on behalf of that. And he might have some comments on it.

19 CHAIRPERSON MARIN: Okay. Thank you, Terry. For
20 your information, we can't really discuss this item in
21 its --

22 MR. LEVEILLE: Nor do we want to.

23 CHAIRPERSON MARIN: But thank you for your
24 comment. We are certainly going to look into it. I don't
25 think any of us was here at that time when that promise

1 was made. I will certainly look into it. And if
2 necessary and when appropriate, we will bring it for the
3 Board's action. Thank you for bringing it.

4 MR. LEVEILLE: The other thing I had to mention,
5 actually that was a little far more important, is the
6 recycled content materials marketing contract. And as you
7 know, we had a waste tire interested parties meeting last
8 week. And this particular contract dominated a
9 significant portion of the time devoted to the meeting.

10 This was a contract that was originally conceived
11 in the Five-Year Program for waste tire management to
12 focus on asphalt rubber, RAC, and civil engineering uses
13 of tires, tire-derived aggregate, or TDA. This is the use
14 of the tires behind retaining walls, underneath light rail
15 lines, and the like.

16 And last year in March the Board decided and
17 staff decided to expand the scope of the contract to
18 include a couple of worthy items, construction debris,
19 aggregate, and mulch, organic mulch, which are significant
20 problems in the waste stream, as you've seen in Mark's
21 delineation of the waste stream, and threw in some money
22 from the IWMA. Still, the Tire Fund pays about two-thirds
23 of this contract. The IWMA pays one-third.

24 Through its incarnation and approval last year
25 and collection of Ogilvy Worldwide, those same four items,

1 those same four targets, were mentioned time and time
2 again. And in the Scope of Work it basically says
3 focusing on tire-derived aggregate, RAC, compost, organic
4 compost, mulch products, and aggregate, concrete
5 aggregate, plus other types of recycled content materials
6 as they go toward developing a marketing program for local
7 government officials.

8 Last week, all of a sudden it got narrowed. And
9 tire-derived aggregate, civil engineering uses of tires
10 was not included in this. I think it was an oversight.
11 You know, it's the first time I had heard that it had been
12 eliminated. And I think the Ogilvy people, they aren't
13 probably as well versed in all the various aspects of what
14 can be pushed and what sort of recycled content materials
15 there are. She was caught off guard, Rachel Hobler. And
16 at the end, Jon Myers indicated he will be more than happy
17 to meet with the Tire Program staff and others to
18 re-examine this issue before the contract itself goes out
19 and starts meeting with people and developing marketing
20 materials and the like.

21 And I just want to just bring you up to date so
22 you don't read it in someplace like Tire Report or hear
23 about it from angry stakeholders, because there was a lot
24 of anger and they did raise a lot of good questions about
25 the contract.

1 CHAIRPERSON MARIN: Thank you, Terry.

2 MR. LEVEILLE: But I do know, and you well know,
3 that the civil engineering uses of tire-derived aggregate
4 have tremendous potential and are significant --

5 CHAIRPERSON MARIN: I was not at the stakeholder
6 meeting, but I understand it was an oversight. So I
7 believe that one of the -- actually, I'm not going to make
8 any comment. And we really can't. But as far as I
9 understand, it was an oversight. So let me just go with
10 that.

11 And if we need to, Mr. Lee, bring it back for
12 consideration under Jon. We will deal with this issue.
13 This is very, very important. And the direction was, I
14 understand, very clear. I think more than anything else
15 there are certain tasks that need to be done that
16 actually, as I understand it, can be extrapolated to other
17 areas.

18 So I'm glad it was brought up. I'm glad it was
19 discussed, and we will deal with it.

20 MR. LEVEILLE: Well, thank you very much. And I
21 think you do have an expert on staff in civil engineering,
22 Stacy. And I think she should be very closely allied in
23 developing these materials, and I would hope that could be
24 conveyed.

25 CHAIRPERSON MARIN: Thank you, Mr. Tire Report.

1 Okay. If we need to, Mark, bring this back,
2 we'll bring it back. If we don't need to, then we don't
3 need to. But it will be dealt with.

4 Anything further from this end?

5 Okay. That moves us into the consent agenda.

6 The consent items on the agenda are Item Number 1, 2
7 Revised, 4, 6 Revised, 7 Revised, and 11.

8 Let me go through a rundown of the agenda and
9 then we will take up the consent calendar.

10 Items 3 Revised, 8 Revised, and 9 Revised, and 10
11 are on the fiscal consent. That means that the Committee
12 approved it, but we do have to make a vote on that
13 individually, because we're spending money. But there
14 will be minor presentation, Pat, just minor. But they
15 were on fiscal consent. Because we have to vote on them,
16 we need to bring them up.

17 So that only leaves Items 5, 12, 13, and 14 that
18 will be heard by the full Board.

19 With that, does anybody wish to -- let me present
20 the consent agenda is Item 1, 2 Revised, 4, 6 Revised, 7
21 Revised, and 11. Does anybody wish to remove any items
22 from the consent calendar? Okay.

23 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
24 approval of the consent agenda.

25 BOARD MEMBER PETERSEN: I second that.

1 CHAIRPERSON MARIN: Moved by Ms. Mulé, second by
2 Mr. Petersen.

3 Please call the roll.

4 EXECUTIVE ASSISTANT BAKULICH: Mulé?

5 BOARD MEMBER MULÉ: Aye.

6 EXECUTIVE ASSISTANT BAKULICH: Peace?

7 BOARD MEMBER PEACE: Aye.

8 EXECUTIVE ASSISTANT BAKULICH: Petersen?

9 BOARD MEMBER PETERSEN: Aye.

10 EXECUTIVE ASSISTANT BAKULICH: Wiggins?

11 BOARD MEMBER WIGGINS: Aye.

12 EXECUTIVE ASSISTANT BAKULICH: Marin?

13 CHAIRPERSON MARIN: Aye.

14 All right. Then we'll go into the new items,
15 Sustainability and Market -- actually, well, there's not
16 items. There's only fiscal consent item. Who's going to
17 present? Shirley, you're going to present Item Number 3?

18 ACTING DIRECTOR WILLD-WAGNER: Yes, I will. Do
19 we still have Committee Chair reports?

20 CHAIRPERSON MARIN: I'm sorry, Gary. That's your
21 Committee. I tried to look for the Chair over here on
22 this side. Do you have a report on your Committee? I
23 know there were no items except for the fiscal consent
24 item.

25 BOARD MEMBER PETERSEN: Basically, we had a

1 Committee meeting and approved all these to come forward
2 to the Board.

3 CHAIRPERSON MARIN: Okay. That was a quick
4 report.

5 BOARD MEMBER PETERSEN: Thank you.

6 ACTING DIRECTOR WILLD-WAGNER: Good morning. I'm
7 Shirley Willd-Wagner, Acting Director of the Waste
8 Prevention and Market Development Division. And our only
9 item this morning is on fiscal consensus. It's
10 Consideration of the Recycling Market Development
11 Revolving Loan Program Application from Princess Paper.

12 Princess Paper, Incorporated, is requesting \$2
13 million in the loan to purchase real estate and make
14 improvements and for machinery and equipment. The company
15 manufacturers tissue and towel products made from
16 post-consumer and secondary waste materials. Princess
17 Paper projects to increase diversion of recycled materials
18 by 1500 tons annually and hire 16 additional employees.
19 Mark mentioned some of the impacts of the RMDZ recycling
20 market loans were having on the contribution from Princess
21 Paper. The project operates out of Los Angeles County
22 RMDZ in Vernon, California.

23 And staff recommends adoption of Resolution
24 2006-14, approval of a loan to Princess Paper in the
25 amount of \$2 million.

1 CHAIRPERSON MARIN: Thank you, Shirley.

2 Is there a motion?

3 BOARD MEMBER MULÉ: I'd like to move approval of
4 Resolution 2006-14.

5 BOARD MEMBER PEACE: Second.

6 CHAIRPERSON MARIN: Moved by Ms. Mulé, seconded
7 by Ms. Peace.

8 Call the roll, please.

9 EXECUTIVE ASSISTANT BAKULICH: Mulé?

10 BOARD MEMBER MULÉ: Aye.

11 EXECUTIVE ASSISTANT BAKULICH: Peace?

12 BOARD MEMBER PEACE: Aye.

13 EXECUTIVE ASSISTANT BAKULICH: Petersen?

14 BOARD MEMBER PETERSEN: Aye.

15 EXECUTIVE ASSISTANT BAKULICH: Wiggins?

16 BOARD MEMBER WIGGINS: Aye.

17 EXECUTIVE ASSISTANT BAKULICH: Marin?

18 CHAIRPERSON MARIN: Aye.

19 That was fast, Shirley. Thank you so very much.

20 We'll move on to Permitting and Enforcement,
21 Ms. Mulé.

22 BOARD MEMBER MULÉ: Thank you, Madam Chair.

23 At our Committee meeting, we heard three permit
24 items and one Scope of Work item regarding landfill gas.

25 And with that, I'd like for Howard to present

1 Item 5. Thank you.

2 DEPUTY DIRECTOR LEVENSON: Thank you, Madam
3 Chair. Good morning, Board members. I'm Howard Levenson,
4 Deputy Director for Permitting and Enforcement. I'll make
5 a short presentation on Item 5, which you should have a
6 revised agenda item and Resolution in your binders. The
7 issues have been resolved, so we can recommend
8 concurrence.

9 This item does request the Board consider
10 concurrence on a revised full solid waste facilities
11 permit for the John Smith Landfill, which is located in
12 San Benito County. And it's owned and operated by the
13 County. The current permit provides that the landfill
14 should not accept more than an average of 250 tons per day
15 with a peak of 500 tons per day.

16 The primary change in this revision is to remove
17 the reference to the average permitted tonnage. There
18 will also be some clarifying language so that it's clear
19 all materials that cross the gate do count towards the
20 total tonnage.

21 There were two primary issues with this site:
22 One with respect to gas violations, and the other with
23 respect to the closure, post-closure plan. At the
24 Committee, we did report although the landfill is found to
25 be in violation of our gas control state minimum

1 standards, we do have a recent revision to our regulations
2 which became effective December 17th, the long-term gas
3 violations regulations. These allow the Board to find a
4 facility consistent with the gas control standards when
5 it's acting on a permit if nine different findings can be
6 made. And in the agenda item, we've outlined all those
7 nine findings, and they can be made. So that was not an
8 issue before -- that had been resolved by the time the
9 Committee met.

10 But there was one issue that was not resolved at
11 the Committee, and that was that the preliminary closure
12 and post-closure plan that was submitted in May 2001 and
13 re-submitted in August of 2005 was complete, but the
14 documentation we had at the time of the Committee meeting
15 was not sufficient to find that the plans were consistent
16 with state minimum standards. We had been working with
17 the operator and the LEA to resolve a variety of issues
18 related to the plan. At the Committee meeting, there was
19 one remaining issue, and it was regarding slope stability
20 of the final landfill cover.

21 Last Thursday, the operator submitted the cover
22 stability analysis. Staff was able to look at it on
23 Thursday and Friday and determine that aspect of the plan
24 was consistent with state minimum standards.

25 So on that basis, we do recommend that you adopt

1 Option 1, which is to concur in the issuance of the
2 proposed permit and approve Resolution 2006-04 revised.
3 Both the County and the LEA and, of course, staff are
4 available if you'd like to ask any more detailed questions
5 about this item. Thank you.

6 CHAIRPERSON MARIN: Thank you, Howard.

7 I just want to make sure just for the record I'm
8 trying to find, but I know there's been a couple of
9 things. What is the total tonnage, the issue that was of
10 a concern? I just want it for the report.

11 DEPUTY DIRECTOR LEVENSON: The total tonnage
12 that's allowed is 500 tons per day. They did have a
13 condition in the permit previously that would restrict it
14 to 250 on average. But this would remove the average and
15 allow 500. The 500 limit would stay the same. It just
16 allows it every day.

17 CHAIRPERSON MARIN: Now, on the average, it could
18 have been that one day they had 700, is that it?

19 DEPUTY DIRECTOR LEVENSON: They still would have
20 had a peak of 500. But over the course of a week, the
21 average had to be 250. That would be removed. The peak
22 still remains.

23 CHAIRPERSON MARIN: Okay. All right. Any
24 questions?

25 Ms. Peace.

1 BOARD MEMBER PEACE: I just have one question.
2 Since it was just last Thursday that the slope stability
3 evaluation of the final cover was received, and since
4 protection of the public and the environment is our number
5 one priority, does staff really feel they had adequate
6 time to look at that?

7 DEPUTY DIRECTOR LEVENSON: Yes. We've been
8 working with the LEA and the operator extensively, and
9 there have been four issues that were unresolved prior to
10 the Committee, and we were able to resolve three to our
11 satisfaction -- I forget what date the Committee was -- by
12 the Committee time. There was still the one that was
13 being worked on, and we were expecting and anticipating
14 that last submittal. Staff had set aside time to review
15 that, and they are satisfied.

16 BOARD MEMBER PEACE: Thank you.

17 CHAIRPERSON MARIN: Okay. Any further questions?
18 Is there a motion?

19 BOARD MEMBER MULÉ: With that, I'd like to move
20 Resolution 2006-04 Revision 2.

21 BOARD MEMBER PEACE: Second.

22 CHAIRPERSON MARIN: Moved by Ms. Mulé and
23 seconded by Ms. Peace.

24 Call the roll, please.

25 EXECUTIVE ASSISTANT BAKULICH: Mulé?

1 BOARD MEMBER MULÉ: Aye.

2 EXECUTIVE ASSISTANT BAKULICH: Peace?

3 BOARD MEMBER PEACE: Aye.

4 EXECUTIVE ASSISTANT BAKULICH: Petersen?

5 BOARD MEMBER PETERSEN: Aye.

6 EXECUTIVE ASSISTANT BAKULICH: Wiggins?

7 BOARD MEMBER WIGGINS: Aye.

8 EXECUTIVE ASSISTANT BAKULICH: Marin?

9 CHAIRPERSON MARIN: Aye.

10 Okay. Thank you so much.

11 And the last one, Special Waste. This is my

12 Committee. For a second there, I thought it was

13 Sustainability. I'm trying to look for my notes.

14 Special Waste Committee, we had six items. There

15 was one item on consent. And there were three items for

16 fiscal consent, and we're going to be taking a look at

17 those. Included was Consideration of Awards for the

18 Targeted Rubberized Concrete Incentive Grant Program.

19 We heard one item in Committee that was approved,

20 but we moved it to the full Board. And we're going to be

21 hearing that discussion of the proposed allocation for

22 concept for Used Oil Recycling Fund, fiscal year 2005 and

23 '06 regarding competitive grants.

24 And the Waste Tire Manifest Program was moved to

25 the full Committee, because the person was not going to be

1 there.

2 So with that, Mr. Lee, give us your report.

3 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

4 Good morning, Board members. My name is Jim Lee, Deputy
5 Director of the Special Waste Division.

6 Board Item 8 is Consideration of Scope of Work
7 and Agreement for Development of a Waste Tire Flow study
8 in the California-Mexico Border Region. This proposed
9 Scope of Work is the outgrowth of ongoing Board and staff
10 involvement over many years on border-related tire issues.
11 This involvement was re-affirmed and strengthened as part
12 of the revised Five-Year Plan process completed in May of
13 last year.

14 The agenda item has been modified to reflect
15 direction from the Special Waste Committee. The Scope of
16 Work has been revised to acknowledge the border tire flow
17 requirements in legislation passed last year, Senate Bill
18 772 authored by Senator Ducheny. It also includes more
19 explicit direction to include estimates of waste tires
20 used for recycling and other tire-derived products as well
21 as those properly or illegally disposed in landfills and
22 dump sites. The Scope of Work also now includes more
23 emphasis that environmental as well as economic impacts of
24 the border tire flow are to be examined.

25 The Special Waste Committee recommended this item

1 for fiscal consent with the aforementioned revisions.
2 Staff recommends the Board adopt Resolution 2006-8 and
3 approve the Scope of Work and San Diego State University
4 Foundation as the contractor for the waste tire flow in
5 the California-Mexico border region in the amount of the
6 \$150,000.

7 CHAIRPERSON MARIN: Thank you, Mr. Lee.

8 Is there a motion?

9 BOARD MEMBER PEACE: I still have a question on
10 this.

11 Where it says they're going to estimate the
12 number of used and waste tires transported into Mexico
13 from California that's legal and illegally since the year
14 2000, can you explain to me how we're going to get
15 accurate numbers trying to go back to the year 2000?

16 DEPUTY DIRECTOR LEE: Again, I'll ask one of our
17 partners in this effort, staff from the State Water
18 Resources Control Board Border Unit. I think I will
19 provide a little more perspective on this. But I'd also
20 note one of the line items in the Scope of Work is
21 basically to develop the methodology for, you know,
22 collecting the information.

23 But Claudia Villacorta.

24 MR. PETKER: If I could maybe this address this
25 and have support from Claudia, if that would be all right.

1 That was one of the questions --

2 CHAIRPERSON MARIN: And your name is?

3 MR. PETKER: Darryl Petker with the Special Waste
4 Division. I'll be the contract manager if you approve it.

5 How we're going to deal with that, and that was a
6 question raised and it's a good question. But there are
7 several ways we can look back. We can look at history.
8 We can look at photographs. We can interview people,
9 haulers, to find out how much waste there is. There is
10 some ambiguity there. Excuse me. I'll slow down a little
11 bit. But that, as Mr. Lee addressed, will be handled in a
12 methodology stage, how we're going to determine that.

13 Does that help?

14 BOARD MEMBER PEACE: Well, I think it's going to
15 be really hard to get any kind of accurate numbers anyway.
16 And I guess it makes more sense to me if you're doing this
17 study to try to get as accurate numbers as we can during
18 the study and then project if you're trying to get five
19 years' worth of data, it almost seems like you should
20 project forward for five years, say this is what it's
21 going to be like if we don't do anything.

22 CHAIRPERSON MARIN: Let me just answer that from
23 a statistical perspective. You can somehow see a trend.
24 And what they're attempting to do, which is exactly what
25 you want, projecting out, what you want to do is some

1 history. That way you can see the trend develop. And I
2 know it's very, very hard when we don't have hard facts.
3 But what we're attempting to do it estimate.

4 Ms. Villacorta.

5 MS. VILLACORTA: Good morning.

6 The question Cheryl Peace is just asking is to
7 add to the Scope of Work projections, which was not
8 included in the part of the Scope of Work. We were going
9 to go back in time to determine a trend in terms of number
10 of tires up to present. So if that's something that wants
11 to be added to the Scope of Work, it will have to be --

12 BOARD MEMBER PEACE: I'm wondering if it makes
13 more sense if we get better numbers if we try to get
14 numbers today and project forward, than trying to go
15 backwards and find out what were illegal and which were
16 legal and --

17 CHAIRPERSON MARIN: Well, let me put this --
18 because I think you raise a very, very good question. If
19 you're going to make a decision, it's going to be based on
20 what we anticipate for later on.

21 But in developing the methodology, why don't you
22 ask that question. It might be easier, better. It may
23 not be feasible. Would that be okay?

24 BOARD MEMBER PEACE: Yeah.

25 MR. VILLACORTA: Is the Board interested in

1 getting information about future projections or just to
2 determine the number of tires that are currently crossing
3 the border?

4 CHAIRPERSON MARIN: Right. I think we would have
5 a much better view of a problem if we can project that
6 out. It makes a lot of sense. Because if we know what
7 the problem is right now, but unless we're able to see how
8 this may impact the future or what the trend is, we may be
9 having a shortcome, you know. We may be cutting short
10 ourselves. How can I say it? We may be cutting us short
11 in what we anticipate the work to be done.

12 MS. VILLACORTA: I'm not sure if looking forward
13 would help you determine what's going on now. But I could
14 discuss that during the methodology with San Diego State
15 University. But if you're also interested in finding what
16 the future impact is both economically and
17 environmentally, that could be added to the Scope of Work.
18 And I would recommend you do that as well.

19 CHAIRPERSON MARIN: Okay. All right.

20 BOARD MEMBER PETERSEN: Madam Chair, I concur.
21 And the point being in the grand scope of the recycling
22 world, we know what's there. They can find that. How we
23 figured out how they got there, it's illegal and not. But
24 the idea is for economic development on both sides of the
25 border to treat and take care of the tires. What they

1 project coming in is part of their business plan, if
2 that's going to be a structure that happens in Mexico or
3 here.

4 CHAIRPERSON MARIN: Okay.

5 BOARD MEMBER PEACE: I just think trying to rely
6 on numbers going back to the year 2000, I just don't think
7 there are any good reliable statistics we can use to find
8 that. And maybe that's what you're going to have to
9 determine when you try to do your methodology.

10 MS. VILLACORTA: Right. And we would discuss
11 that issue once we've determined what sources of
12 information to use to determine the number of tires. And
13 you may be right. There might not be good reliable
14 information back that far.

15 BOARD MEMBER PEACE: Okay.

16 CHAIRPERSON MARIN: Thank you.

17 Any further questions regarding this item?

18 Is there a motion?

19 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
20 Resolution 2006-8.

21 CHAIRPERSON MARIN: Is there a second?

22 BOARD MEMBER PETERSEN: I'll second that.

23 CHAIRPERSON MARIN: Thank you, Mr. Petersen.

24 Thank you, Ms. Mulé.

25 Call the roll, please.

1 EXECUTIVE ASSISTANT BAKULICH: Mulé?
2 BOARD MEMBER MULÉ: Aye.
3 EXECUTIVE ASSISTANT BAKULICH: Peace?
4 BOARD MEMBER PEACE: Aye.
5 EXECUTIVE ASSISTANT BAKULICH: Petersen?
6 BOARD MEMBER PETERSEN: Aye.
7 EXECUTIVE ASSISTANT BAKULICH: Wiggins?
8 BOARD MEMBER WIGGINS: Aye.
9 EXECUTIVE ASSISTANT BAKULICH: Marin?
10 CHAIRPERSON MARIN: Aye.
11 Okay. Item Number 9.
12 DEPUTY DIRECTOR LEE: Madam Chair, just one
13 clarification on Item Number 8. Again, we will revise the
14 Scope of Work to include looking at a projection for years
15 from this year out. And we'll include that as a revision
16 to the Scope of Work.
17 CHAIRPERSON MARIN: It will be the methodology
18 first. You're going to bring it back to us. And then we
19 will approve the Scope of Work if, in fact -- because you
20 will have to revise it then at that time. Is that
21 correct?
22 DEPUTY DIRECTOR LEE: Madam Chair, if we may just
23 to get a clarification on that.
24 CHAIRPERSON MARIN: Mitch.
25 WASTE TIRE DIVERSION MANAGER DELMAGE: Madam

1 Chair, Mitch Delmage, Manager of the Waste Tire Program.

2 I just want to make sure I'm getting clear
3 direction. If we go back and amend it, it's possibly
4 going to change the cost.

5 CHAIRPERSON MARIN: Right.

6 WASTE TIRE DIVERSION MANAGER DELMAGE: The cost
7 is set forward in the Five-Year Plan. We have an item
8 that we'll be bringing forward next month on some of these
9 issues. But if we do change the cost, it could delay this
10 project until the first of the fiscal year.

11 BOARD MEMBER MULÉ: Madam Chair.

12 CHAIRPERSON MARIN: Ms. Mulé.

13 BOARD MEMBER MULÉ: Thank you, Madam Chair.

14 As we discussed in Committee, Mitch, I indicated
15 if there were any changes, would we be able to allocate
16 additional dollars. I don't see this as a major change to
17 the Scope of Work. And as Claudia had mentioned in her
18 previous remarks that we would look at projecting out into
19 the future as part of the methodology; correct?

20 WASTE TIRE DIVERSION MANAGER DELMAGE: Correct.

21 BOARD MEMBER MULÉ: So if there's a change and if
22 it's going to add any dollars to this contract, I think we
23 all agreed back in Committee that we're ready to move
24 forward with it. So I would appreciate it if staff could
25 just move forward with it. If there is a change in cost

1 because of the Scope, then bring it back to us.

2 DEPUTY DIRECTOR LEE: We understand, Ms. Mulé.

3 My comment was again basically to get clarification on
4 exactly how the Scope of Work was going to be revised so
5 we make sure that we capture the Board's direction here.
6 We're aware of the Committee's direction that we can
7 approach you about additional funds for this, if
8 necessary.

9 CHAIRPERSON MARIN: Thank you, Mr. Lee.

10 Okay. Item Number 9, please.

11 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

12 Board Item 9 is Consideration of Awards for the
13 Targeted Rubberized Asphalt Concrete Incentive Grant
14 Program. As you know, increasing the use of RAC, or
15 rubberized asphalt concrete, is one of the linch pins in
16 the Board's effort to significantly increase the diversion
17 and recycling of waste tires. To this end, this proposed
18 program is a complement to the Kuehl Bill Grant Program
19 and is designed to provide additional incentive to
20 encourage use of the product by those local jurisdictions
21 that have no experience with it.

22 The item before you today is to implement Board
23 direction as received during the five-year tire planning
24 review and approval process and to confirm the funding
25 allocations to support this program. Although not noted

1 in the agenda item, staff is moving ahead to implement
2 Special Waste Committee direction to implement a more or
3 less continuous grant application and approval process for
4 this grant program.

5 We now envision coming to the Board on a monthly
6 basis with applications which have been deemed complete by
7 staff. The completeness evaluation will include staff
8 discussions and consultations with applicants to ensure
9 they have proper knowledge and training on appropriate RAC
10 usage so a successful project can be ensured.

11 The agenda item and Resolution before you have
12 been revised to reflect a change in the proposed grant
13 amount for the City of Ripon from 114,225,000 and a
14 corresponding change in the total grant award from 639,000
15 to 650,000. These changes were discussed with and
16 approved by the Special Waste Committee, which has
17 recommended the item for fiscal consent.

18 Staff recommends the Board adopt Resolution
19 2006-09 as revised.

20 CHAIRPERSON MARIN: Okay. We have somebody that
21 wanted to speak on this item. If I may call upon Donna
22 Carlson from CRM.

23 MS. CARLSON: Good morning. As many of you know,
24 I've been here before you wearing different hats on
25 different occasions. I'm now standing before you with a

1 new hat. I'm representing CRM, who has a plant in
2 Southern California and one in Arizona and is the largest
3 crumb rubber producer in the nation.

4 Now, in my prior life, I've been watching these
5 RAC grant programs quite carefully, because I was in a
6 position and I still am in a position where the use of
7 crumb rubber in asphalt pavement is of great interest.
8 And I must say that on this particular one, I guess I'm
9 either not understanding how it's going to work, or I'm
10 very disappointed with the turnout in which out of 2,000
11 NOFAs, only seven applicants were received. And we only
12 have five down here.

13 And I'm also concerned about perhaps the size of
14 these cities. I guess in my wildest dreams I was hoping
15 that maybe we could go to the city of L.A. and say, here's
16 a few million dollars, let's make a deal and do some
17 significant paving in an area where it would capture the
18 public attention, and say Hollywood and Vine, something
19 like that.

20 But I'm generally supportive of the program
21 because it does use crumb rubber. But is it significantly
22 going to increase the use of crumb rubber in California in
23 the paving programs? So perhaps somebody can clear up my
24 misunderstanding about why there are so few here before
25 us.

1 CHAIRPERSON MARIN: I actually will answer that
2 completely for you. What is unbelievable to us actually
3 is the fact that we actually got seven complete
4 applications. If you have any idea what it is to go out
5 there in a short, short, short turn-around time for seven
6 jurisdictions, however small, for them to complete the
7 entire process and have an application in the turn-around
8 that has never -- I mean, I guess you have been around
9 long enough and not long enough around not only this Board
10 but local governments. We were dancing up and down that
11 we, in fact, were able to get that many applications in
12 such an incredible short time.

13 What is even more important is that we are going
14 to be having -- now with this new way, instead of having a
15 specific limited time where individual jurisdictions can
16 submit a project, just because there's money available,
17 individual cities or individual entities, counties, I'm
18 not just waiting for our time lines. They have their own
19 public work projects that they have to approve and send
20 bids and so forth. We were extremely lucky to get the
21 turn-around.

22 But the way that we now have created this monthly
23 system, the jurisdictions are going to be able to get
24 their money faster and actually when their application is
25 ready to come. This is an incredible thing that I believe

1 this Board has done. We are very, very happy with the
2 results. And jurisdictions actually surprised us that
3 they were able to get this.

4 Just for your information, I'm familiar with the
5 city of L.A. Okay. For them to have a project of the
6 millions of dollars that you suggest would take probably a
7 full year. So, Jim, what was the turn-around? Was it
8 less than 60 days?

9 DEPUTY DIRECTOR LEE: I think well less than
10 that.

11 Mitch, do we have a clarification on that point?

12 CHAIRPERSON MARIN: It was just incredible. So
13 don't be dismayed. We're actually very happy with the
14 result.

15 MS. CARLSON: I certainly thank you for your
16 response. And as you know, some of the Board members have
17 been out there in the trenches with me on different
18 occasions where we were promoting these RAC grants. And I
19 guess perhaps I was just thinking that there's going to be
20 a big long list of first-time users.

21 CHAIRPERSON MARIN: There will be. We've already
22 seen it.

23 MS. CARLSON: If it's a continuing operation,
24 that is good. Like all money, though, you know, in my
25 vocabulary, the real stakeholder in the state of

1 California when it comes to the Tire Fund is the person
2 who's paying that tire disposal fee. That's the real
3 stakeholder. And I commend the Board for the great
4 efforts you've put forth in market development. And
5 certainly I'm not totally up to speed on everything you're
6 doing, but in this --

7 CHAIRPERSON MARIN: Oh, you will. Representing
8 Mary, I'm sure you will.

9 MS. CARLSON: Yes. I think I'll probably do very
10 many more trips where I get up at 4:00 in the morning to
11 catch a plane.

12 CHAIRPERSON MARIN: Welcome to the club. He gets
13 up at 3:00.

14 MS. CARLSON: Well, I just wanted to offer my
15 comments. And perhaps Nate can provide some answers for
16 me or some explanations.

17 CHAIRPERSON MARIN: Yeah. You can do that
18 individually.

19 MR. GAUFF: I'm Nate Gauff with the Special Waste
20 Division.

21 As far as the grant program, actually the
22 turn-around for this first cycle was about 30 days.

23 CHAIRPERSON MARIN: Thirty days, see.

24 MR. GAUFF: It was just based on NOFA timing and
25 other things.

1 CHAIRPERSON MARIN: I'm telling you, we were
2 dancing. We were so elated.

3 Thank you, Nate.

4 MR. GAUFF: The other part of it is we were
5 originally offering quarterly solicitation of applications
6 which we are now planning to go to monthly or continuous
7 filing. And they'll be awarded monthly by the Board if
8 the Board approves that criteria change.

9 So we weren't planning on doing it all in this
10 first shot. We were glad we did get about half a dozen in
11 or so. That's about what we anticipated. And we
12 anticipate we'll be able to get out all the money for the
13 grants this fiscal year within the next cycles, next set
14 of monthly cycles. I was going to say next two cycles
15 because we were originally looking at two more quarterly
16 cycles.

17 If you have any other questions, Donna, please
18 feel free to give me a call.

19 CHAIRPERSON MARIN: Thank you so very kindly.

20 Donna, just for your information, the first-time
21 users specifically our efforts have been concentrated on
22 those, just so that you know. Okay.

23 All right. Any further comments on that item?

24 Is there a motion?

25 BOARD MEMBER PEACE: I'd like to move Resolution

1 2006-09 Revised.

2 BOARD MEMBER MULÉ: Second.

3 CHAIRPERSON MARIN: Moved and seconded.

4 Please call the roll.

5 EXECUTIVE ASSISTANT BAKULICH: Mulé?

6 BOARD MEMBER MULÉ: Aye.

7 EXECUTIVE ASSISTANT BAKULICH: Peace?

8 BOARD MEMBER PEACE: Aye.

9 EXECUTIVE ASSISTANT BAKULICH: Petersen?

10 BOARD MEMBER PETERSEN: Aye.

11 EXECUTIVE ASSISTANT BAKULICH: Wiggins?

12 BOARD MEMBER WIGGINS: Aye.

13 EXECUTIVE ASSISTANT BAKULICH: Marin?

14 CHAIRPERSON MARIN: Aye.

15 Next item.

16 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

17 Board Item 10 is Consideration of Scope of Work

18 and Agreement for the Southern California Rubberized

19 Asphalt Concrete Technology Center. This item will

20 continue the long-standing relationship between the Board

21 and Los Angeles County Public Works Department, albeit

22 with a different program emphasis and personnel consistent

23 with the findings and recommendations of a third-party

24 evaluation of the Tech Center completed last year.

25 Specifically, among the findings of a third-party

1 evaluation and Board staff's independent assessment was
2 that the Tech Centers were best utilized in a technical
3 support capacity as opposed to outreach. As you know, the
4 responsibility for outreach has been vested in Ogilvy
5 Worldwide, a contractor hired by the Board with
6 considerable experience and expertise in this area.

7 Staff recommends that the Board approve the Scope
8 of Work and Los Angeles County as contractor in the amount
9 of \$50,000 for the Southern California RAC Technology
10 Center and approve Resolution 2006-10.

11 CHAIRPERSON MARIN: Thank you, Mr. Lee.

12 I know this is coming to the Board, but we had no
13 problems with that. I'm sure you have relayed our thanks
14 and our gratitude to the other side of the Rubberized
15 Asphalt Concrete Center.

16 DEPUTY DIRECTOR LEE: I have, Madam Chair.

17 CHAIRPERSON MARIN: Thank you.

18 Is there a motion?

19 Question, Ms. Peace.

20 BOARD MEMBER PEACE: I guess I have a concern.

21 Just last May in the Five-Year Tire Plan we approved a
22 large targeted outreach program. But we also put \$225,000
23 in for the Southern California RAC Tech Center. It was
24 our understanding we wanted to make a big push towards RAC
25 to get everybody informed. The more people out there, the

1 better. We were going to do like a full-court press with
2 our RAC Centers, the RPA, Ogilvy, Mac Tech, that we would
3 all be out there trying to spread the word. And we all
4 voted on that in the Five-Year Plan. And now it seems to
5 me like before the game gets started, we're taking one of
6 our players off the court.

7 You had said how you're going to be changing this
8 to just give \$50,000 to basically Eric Updyke's group to
9 answer technical questions. You would be basically not
10 having Jeanette go out and give presentations anymore. So
11 you're really changing the direction of the RAC Tech
12 Center.

13 I guess I just have to say I'm really concerned
14 about that. We do have Ogilvy on board. But for the
15 last, what, since August, they've been doing surveys and
16 studies and questionnaires, and I haven't really seen any
17 real work that they've done to push the RAC Program. We
18 haven't seen them give a presentation yet. And I don't
19 know when they plan to do that.

20 I'm going to have to say at the interested tire
21 meeting last week, we got this little thing put out by
22 Ogilvy. And reading through this, to me it looks like a
23 whole lot of nothing, to tell you the truth. And it just
24 seems like I really am concerned about taking away the RAC
25 Tech Center's focus and giving presentations before we're

1 assured that Ogilvy is out there giving presentations and
2 we see how they're doing.

3 And then do -- we're going to have Ogilvy doing
4 all this and the RAC Tech Center not doing it. It was my
5 understanding we're going to pick like 30 jurisdictions
6 that we were going to focus on. I mean, there's a lot
7 more than 30 jurisdictions in the state. What if somebody
8 wants a presentation or is interested that isn't one of
9 those 30? Do we have anybody that can go out and give
10 them a presentation? Because it's already come up. It's
11 already come up in the Los Angeles County Solid Waste
12 Management Committee. Their Integrated Waste Management
13 Task Force is having a great big meeting in a couple weeks
14 and they already called the Southern Center to ask if --
15 they're going to have the Board of Supervisors and stuff
16 there. They'd asked if someone can come give a
17 presentation. And of course there's nobody really on
18 board to do that right now.

19 DEPUTY DIRECTOR LEE: Ms. Peace, if I may, let me
20 just comment on that, and then I'll ask Nate to provide
21 some additional perspective.

22 You know, first of all, during the Five-Year Plan
23 discussions, we discussed the third-party evaluation, the
24 role of the Tech Centers. We included funding at the
25 Board's direction, you know, as an allocation to keep the

1 Board's options open. Again, staff discussed at the time
2 again there was going to be a transition as we moved away
3 from having the outreach done by the Tech Centers to more
4 having the Board --

5 BOARD MEMBER PEACE: Sounds like you're
6 transitioning them out before we even made the transition.

7 DEPUTY DIRECTOR LEE: Well, I think, you know,
8 Jon can speak in a moment about where Ogilvy is right now.
9 We feel the timing is appropriate, you know, to make the
10 move to reduce the costs, to become consistent with the
11 third-party evaluation and staff's own independent
12 assessment about who should be doing what.

13 BOARD MEMBER PEACE: The third-party evaluation,
14 one of their main criticisms was of the Tech Centers that
15 their county jobs superceded what their Tech Center jobs
16 were. That's exactly what's going to happen. I know with
17 Erik Updyke, he's going to be working for the county. His
18 job comes first. So it will always supercede what he's
19 going to be doing for us.

20 The Southern California Center, they had a
21 part-time person, and their job superceded what they were
22 supposed to be doing for the Southern California RAC
23 Center. Once that report came out, they hired a full-time
24 person. They totally revamped what they were doing. And
25 then now we're going out and giving all these

1 presentations and seems like they totally did a
2 turn-around to what they thought we wanted them to do.
3 And now it seems like we're saying don't do it anymore.

4 MR. GAUFF: Member Peace, I'd like to speak to
5 that. I'm Nate Gauff with the Special Waste Division.

6 I guess I'm going to go back a little bit. We
7 did offer a continuation of the contract with the existing
8 folks with Jeanette and Reza and his group to continue on
9 the service of the Tech Center back in December.

10 BOARD MEMBER PEACE: You offered them a contract
11 to the end of December.

12 MR. GAUFF: No. We offered them a contract to
13 continue on from the end of their existing contract, what
14 at that time was their existing contract which was to
15 expire December 31st of 2005. They subsequently did turn
16 us down.

17 BOARD MEMBER PEACE: Is that the one for \$50,000
18 for a year and a half?

19 MR. GAUFF: Correct. But it would have continued
20 the services as they were. There was money there to
21 continue the services as it was existing at that point.

22 BOARD MEMBER PEACE: How much money was there?

23 MR. GAUFF: I haven't seen their final billing.
24 They still have money in the old contract that needs to be
25 paid for their services, but I haven't seen the final

1 invoice.

2 What I'm saying is there was money there for them
3 to continue on the services if they had chosen to, which
4 they chose not to. So what we did in light of that was to
5 go and look at what other resources they had in L.A.
6 County, which mainly was the construction division folks
7 which was Erik Updyke being the primary contact being the
8 expert or being the one that's the most well respected in
9 terms of local government interfacing in Southern
10 California.

11 Once again, we were planning to pare back the
12 services of the Tech Center based on the third-party
13 evaluation based on some timing with the Ogilvy contract
14 in our anticipation of what those things -- how they would
15 happen. Now, they haven't happened like we thought.
16 However, we did have the provision, if L.A. had chosen to
17 continue on the contract as we offered them back in
18 December, they would have been able to continue on with
19 the services. Right now --

20 BOARD MEMBER PEACE: I'm hearing conflicting
21 things. When they talked to me, they said they very much
22 want to continue at least for another year until Ogilvy
23 gets going, that they wanted to continue for another year.

24 DEPUTY DIRECTOR LEE: Ms. Peace, they wanted to
25 continue basically under their old Scope of Work, which

1 included a lot of outreach activities which staff
2 interpreted the Board to say they wanted to invest those
3 responsibilities with Ogilvy. They wanted to minimize
4 duplication of effort between the RAC Tech Centers and the
5 Board's contractor. I want to take this opportunity
6 again --

7 BOARD MEMBER PEACE: I thought we decided they'd
8 be working together. I thought that was the whole idea
9 was to have a coordination between them.

10 DEPUTY DIRECTOR LEE: They will be. But the
11 coordination that we require of the Southern California
12 Tech Center again is the technical support working with
13 our Mac Tech contractor and our Ogilvy contractor.

14 BOARD MEMBER PEACE: Why do we need someone then
15 in the Southern California Center to be doing technical
16 support when we have Mac Tech, but we don't need anybody
17 to be doing the outreach since we have Ogilvy?

18 MR. GAUFF: I can answer how we envision that to
19 occur. Mac Tech is our lead technical assistance body on
20 behalf of the Board. They are transitioning from that
21 role. They're transitioning into that role taking over
22 basically what the Southern California Tech Center did in
23 the past.

24 What we envision happening, and I think what's
25 going to happen if we approve this contract, is that as

1 L.A. County technical staff, Erik Updyke namely, gets
2 contacts from other local jurisdictions, he will pass
3 those on to Mac Tech. Mac Tech will then go out or set up
4 a contact and go out and provide whatever training is
5 necessary or whatever training is requested by that local
6 jurisdiction with the assistance of the L.A. County staff
7 as needed. So once again, Mac Tech will be the lead body
8 for providing technical assistance with any assistance
9 they request will come from L.A. County folks. That's the
10 way we envision this happening.

11 BOARD MEMBER PEACE: So the only person we're
12 going to have in Southern California to work is Erik
13 Updyke.

14 MR. GAUFF: No. That's not totally true.

15 BOARD MEMBER PEACE: Who else?

16 MR. GAUFF: There will be other staff, other
17 people within L.A. County folks.

18 BOARD MEMBER PEACE: But all technical people.

19 MR. GAUFF: Yes.

20 BOARD MEMBER PEACE: No one that would want to go
21 out and give a presentation.

22 MR. GAUFF: Not necessarily as a lead presenter,
23 no. But certainly they could share their local government
24 experience on providing construction services, as they do
25 now with some of the counties -- I mean some of the cities

1 within the county that don't have their own transportation
2 and construction divisions. The county folks actually do
3 that now. They would still act in that role in the future
4 but on behalf of the Board or on behalf of Mac Tech as our
5 representative to that local government.

6 CHAIRPERSON MARIN: Thank you.

7 BOARD MEMBER PEACE: Right now so the Los Angeles
8 County Solid Waste Management Committee, they wanted
9 someone to come give a presentation. Who would we have to
10 do that?

11 MR. GAUFF: We have Mac Tech, if they want a
12 presentation. As a matter of fact --

13 BOARD MEMBER PEACE: They don't want technical.
14 They want an actual presentation. Not something --

15 CHAIRPERSON MARIN: Let's make sure -- Mr. Lee,
16 would you be so kind to contact them directly and find out
17 what is it they need? Obviously, we can't read it from
18 their letter. Just make sure that whatever they need,
19 this particular organization, they get it, whether it's
20 our staff or Ogilvy or Erik. Whatever it might be, would
21 you please make sure they get whatever they need? Thank
22 you. Okay. With that --

23 BOARD MEMBER PEACE: Can I ask just one more
24 question? When it comes to -- do we know what the hourly
25 rate for Ogilvy is?

1 ASSISTANT DIRECTOR MYERS: Yes, I do have all
2 that, and it just got posted on the interested parties
3 website just the end of last week.

4 BOARD MEMBER PEACE: How much is it?

5 ASSISTANT DIRECTOR MYERS: I don't have that
6 information in front of me. I wasn't prepared for that.

7 BOARD MEMBER PEACE: Do we know how that compares
8 to the hourly rate for the Southern California Tech
9 Centers?

10 ASSISTANT DIRECTOR MYERS: I don't have their
11 rate in front of me either.

12 CHAIRPERSON MARIN: Ms. Peace, we're talking
13 about apples and oranges here.

14 BOARD MEMBER PEACE: It might be cheaper to have
15 our Southern California Center make some of the
16 presentations.

17 ASSISTANT DIRECTOR MYERS: I'm not familiar with
18 the credentials of the Southern California RAC Center as
19 far as marketing and outreach go either. It could be
20 apples and oranges that we are talking.

21 BOARD MEMBER PEACE: I'm concerned we're letting
22 go of part of our team before Ogilvy is up and running.

23 ASSISTANT DIRECTOR MYERS: Ogilvy is up and
24 running. As you indicated, we are at the final stages of
25 our research. And we're hoping -- I'm the one that's

1 actually holding it back at this point based on the
2 Board's direction last month for looking at new logo, new
3 material look and feel. I want to incorporate that into
4 what Ogilvy is going to go out and do. So I've held them
5 up before they start reaching out.

6 BOARD MEMBER PEACE: Well, held up for whatever
7 reason, it seems like there's already this gap between
8 Ogilvy starting and the RAC Tech Center -- Southern
9 California RAC Tech Center not having their services to
10 provide. That's my only concern. Seems like there's this
11 gap here.

12 CHAIRPERSON MARIN: I don't believe we anticipate
13 to have any gaps, Ms. Peace. I believe staff would be
14 able to figure out what the needs are. In one way or
15 another, those resources will be made available. Is
16 there --

17 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
18 Resolution 2006-10.

19 CHAIRPERSON MARIN: Okay. Moved.

20 BOARD MEMBER PETERSEN: I'll second it.

21 CHAIRPERSON MARIN: Mr. Peterson, thank you.
22 Call the roll, please.

23 EXECUTIVE ASSISTANT BAKULICH: Mulé?

24 BOARD MEMBER MULÉ: Aye.

25 EXECUTIVE ASSISTANT BAKULICH: Peace?

1 BOARD MEMBER PEACE: Half a Tech Center is better
2 than the whole one, I guess. Aye.

3 EXECUTIVE ASSISTANT BAKULICH: Petersen?

4 BOARD MEMBER PETERSEN: Aye.

5 EXECUTIVE ASSISTANT BAKULICH: Wiggins?

6 BOARD MEMBER WIGGINS: Aye.

7 EXECUTIVE ASSISTANT BAKULICH: Marin?

8 CHAIRPERSON MARIN: Aye.

9 Thank you. Ms. Peace.

10 Item Number 12, please.

11 (Thereupon an overhead presentation was
12 presented as follows.)

13 DEPUTY DIRECTOR LEE: Board Item 12 is an Update
14 on Waste Tire Manifest System, the Comprehensive Trip Log,
15 and Electronic Data Transfer.

16 --o0o--

17 DEPUTY DIRECTOR LEE: AB 939 mandates a manifest
18 tracking program as part of an overall integrated,
19 regulatory, and enforcement strategy for minimizing the
20 potential for illegal waste tire disposal. The Manifest
21 and the Tire Hauler Manifest Registration Programs and
22 their specific funding allocation are one of the
23 statutorily required elements in the Five-Year Plan.

24 The Manifest Program has evolved over the years,
25 with the most radical and we feel the most efficient and

1 cost effective change last year with the approval of
2 revisions to the existing Manifest Program. The final
3 date that was established for completion of the transition
4 from the old manifest system to the new comprehensive trip
5 log and electronic data transfer system was December 31st.

6 Staff wanted to come before the Board at its
7 earliest opportunity to tell you about the program, about
8 the transition, how the program is being received by the
9 regulated community and what staff feels is a notable
10 success in reducing cost and improving effectiveness.

11 I'll now ask Keith Cambridge to make the next
12 part of the staff presentation.

13 CHAIRPERSON MARIN: Welcome, Keith.

14 PROGRAM MANAGER CAMBRIDGE: Thank you. Good
15 morning, Madam Chair, members of the Board. My name is
16 Keith Cambridge, Program Manager of the Waste Tire Hauler
17 and Manifest Program.

18 Today, I'll be presenting this informational item
19 on the update of the Waste Tire Manifest System, including
20 the comprehensive trip log since we initiated it last July
21 2005 and also touch base on the electronic data transfer.

22 --o0o--

23 PROGRAM MANAGER CAMBRIDGE: Before I do that, I'd
24 like to cover a little bit of the history of the Manifest
25 Program since the inception. In 1993, SB 744 required the

1 Board to develop the current Waste Tire Hauler
2 Registration Program along with the original Manifest
3 Program. Regulations establishing these programs became
4 effective in May of 1996. On the original Manifest System
5 Program, it required each generator, hauler, and end-use
6 facility to complete a portion of a manifest form for a
7 tire transaction and retain a copy of that manifest on
8 site for three years. However, copies were not submitted
9 to the Board as they are now. Staff estimated that
10 because of this, the compliance rate to complete the
11 manifest form and to retain a copy of that form on site
12 was approximately 3 to 4 percent.

13 In 1998, AB 117 required the Board to prepare and
14 submit a report to the Legislature on their Waste Tire
15 Program and to make recommendations for the needed
16 changes. The Board adopted the California Waste Tire
17 Program evaluation and recommendation in June of 1999,
18 which recommended modifications to that system.

19 Then in 2000, SB 876 was enacted which with this
20 legislation was forming the basis for the California
21 Uniform Waste and Used Tire Manifest System that we
22 currently have.

23 --o0o--

24 PROGRAM MANAGER CAMBRIDGE: At the November 2004
25 Special Waste Committee meeting, the Hauler Registration

1 Program, Manifest Program were also shown to be key
2 components of the tools of enforcement cases to the
3 Enforcement Program, thus playing an important role by
4 providing useful information such of the flow of tires,
5 the points of origin, the destination, and identifying
6 responsible parties.

7 --o0o--

8 PROGRAM MANAGER CAMBRIDGE: How does the Manifest
9 System assist the inspectors, one might ask. If you look
10 at it, it helps the inspectors by determining the
11 generators are using registered waste tire haulers. It
12 also helps inspectors determine the number of tires picked
13 up and dropped off by a hauler, and if the hauler is using
14 an authorized facility. And, lastly, it allows the
15 inspector to follow up on reports of unregistered haulers
16 being submitted by the end-use facility operator.

17 --o0o--

18 PROGRAM MANAGER CAMBRIDGE: After the manifest
19 information is obtained in the WTMS system, the program
20 staff then look at the manifests and start looking at the
21 some of the questions and information being analyzed,
22 and we can determine whether if a generator's not
23 submitting manifests. If they're not submitting
24 manifests, we ask a field audit be done by the Board staff
25 enforcement grantees follow up those sites. We also

1 determine if the hauler's doing business transactions
2 without being renewed or appropriate registration. And
3 staff can take up appropriate enforcement action with
4 that.

5 Program staff can follow the flow of the tire
6 coming in versus tires going out in specific locations to
7 determine if there might be permitting or site violations.
8 And Program staff can assist the inspectors on targeted or
9 selected businesses to get a better profile on the tire
10 movement in that facility.

11 --o0o--

12 PROGRAM MANAGER CAMBRIDGE: Now that we've
13 established basically that there is usefulness for the
14 Manifest Program, I'd like to address where we were with
15 the old manifest and trip log forms, where we are now with
16 going to the new CTL forms, and where we'd like to go in
17 another two years with the electronic data transfer.

18 --o0o--

19 PROGRAM MANAGER CAMBRIDGE: In July 2003, the
20 Board implemented the California Uniform Waste and Used
21 Tire Manifest System which was comprised of the manifest
22 form and the tire trip log. For every tire transaction,
23 whether it was pick up or delivery, a new manifest form
24 would have to be completed and then entered onto the tire
25 trip log form. At a minimum, three forms would be

1 completed for a simple movement of tires from both the
2 point of origin to the destination site. These forms were
3 made available to all the tire regulated community of
4 16,000-plus generators, haulers, end-use facilities.

5 --o0o--

6 PROGRAM MANAGER CAMBRIDGE: As an example for a
7 simple transaction, as you can see up here, it requires
8 three forms to be completed. The hauler would complete
9 part one of the manifest forms for the pick up and
10 delivery and also complete the tire trip log form. And,
11 additionally, the generator or end-use facility would
12 complete part two of the manifest forms. And each would
13 send in their respective parts to the Board.

14 --o0o--

15 PROGRAM MANAGER CAMBRIDGE: Since the
16 implementation of the manifest and tire trip log, staff
17 was continually approached by organizations and groups,
18 such as the Tire Retread Information Bureau, the Northern
19 and Southern Chapters of the California Tire Dealers
20 Association, several haulers, generators, end-use
21 facilities on the complexity and the extent of time
22 requirement to complete these forms.

23 In 2004, staff developed the California retread
24 trip log to help alleviate some of these problems for the
25 retreaders with their excessive documentation of tire

1 casings and pickups from their customers.

2 In 2004 and early 2005, Board staff also held
3 workshops for the rest of the regulated community to
4 determine the most cost effective tracking system without
5 sacrificing much of the information. This is where staff
6 developed the comprehensive trip log form. This form
7 contains much of the information that was required to be
8 on the manifest and trip log forms, but eliminated the
9 redundancy. The responsibility was also placed upon the
10 hauler to complete the form and ensure its delivery to the
11 Board. It is staff's belief with this new process we will
12 get more forms and less errors on the forms since it's
13 done by one reporting party.

14 The CTL form can accommodate up to three
15 different tire transactions on one form. Since the
16 implementation of the CTL form, several of the previous
17 mentioned organization have come forward to Program staff
18 and complimented us on the increase in use of the
19 paperwork and the simplicity of the form.

20 --o0o--

21 PROGRAM MANAGER CAMBRIDGE: Shown here is an
22 example of this CTL form how the trip can go. Basically,
23 the hauler can use all three receipts for either pick ups,
24 deliveries, or interchange both since it's not trip
25 related. The hauler can complete the forms with the

1 operator's signature at the bottom verifying the
2 information is true and correct. The hauler would then
3 leave the receipt for the generator/end-use facility
4 operator to retain on their site for three years. The
5 hauler would then submit the last form to the Board for
6 processing, keeping a second copy for himself.

7 If the hauler does not submit a receipt to the
8 generator/end-use facility, those people can contact the
9 Board and obtain a 204 form which notifies the Board that
10 a receipt was not done and fill out the appropriate
11 information, and we'll follow up on that.

12 --o0o--

13 PROGRAM MANAGER CAMBRIDGE: In comparing the two
14 types of forms, manifest type log versus CTL form,
15 basically we have the CTL form is equivalent to three
16 manifest forms and one tire trip log form. In the old
17 system, all three parties were required to complete and
18 submit their information to the Board. Now only the
19 hauler is required to complete and give that information
20 to the Board. It still does not alleviate the
21 responsibility for the generators or end-use facilities to
22 provide the correct information to the hauler. And as
23 well as the manifest trip log forms are too time consuming
24 and confusing. And now with the CTL form, it's less
25 confusing and very easy to complete.

1 --o0o--

2 PROGRAM MANAGER CAMBRIDGE: In addition to the
3 ease and cost effectiveness of this new form to the
4 regulated community, this diagram shows this initial
5 mailing of the responsible parties. In July of 2003,
6 staff mailed out more than 340,000 manifest trip log forms
7 as shown here in blue, while the CTL form mailing in
8 August of 2005 was slightly less than 50,000 forms, shown
9 here in cream color. This reduction can be explained by
10 staff only having to mail out the forms to the haulers,
11 which is about 950 versus 16,000, and as well as one CTL
12 form equals four normal forms. In monetary items if you
13 look at less forms being mailed out, it shows reduction of
14 staff time and involvement and shipping expenses.

15 --o0o--

16 PROGRAM MANAGER CAMBRIDGE: Beyond the initial
17 mailings of the forms, if you look at the first six months
18 of usage for these forms, staff mailed out more than
19 700,000 forms in 2003 as shown here in the blue, compared
20 to a little bit over 127,00 forms shown here in 2005 in
21 the burgundy color. This shows an approximate reduction
22 of 82 percent of these forms that are now being saved as
23 far as cost savings for printing, required postage, and
24 staff time attributed to the mailing process.

25 --o0o--

1 PROGRAM MANAGER CAMBRIDGE: At the other end of
2 the spectrum, Board staff did receive approximately
3 175,000 manifest tire trip log forms during the time
4 period of July 1st through December 31st, 2004. In
5 comparison, the Board received approximately 106,000
6 manifest forms and 5,000 trip log forms during the months
7 of July 1st through December 31st with the new CTL forms.
8 Although these forms are still not short, it demonstrated
9 the implementation of the CTL form with the number of
10 forms received back at the Board has been reduced. And
11 again this is a cost savings as these forms are pre-paid
12 postage as well.

13 Staff is aware some haulers are continuing to use
14 some of the old manifest and trip logs up to the end of
15 this last year, December 31st. So, therefore, we
16 anticipate in another year the reduction will show even
17 more.

18 --o0o--

19 PROGRAM MANAGER CAMBRIDGE: Although the CTL form
20 has demonstrated much of the information that can be
21 retrieved with less paperwork, it is the goal of the Board
22 to strive for zero waste. Therefore, staff is continually
23 attempting to entice haulers in the hauler community to
24 actively seek use of EDT or electronic data transfer.

25 --o0o--

1 PROGRAM MANAGER CAMBRIDGE: The Board currently
2 has two modes of EDT, the first being the batch mode. In
3 this mode, the hauler will utilize their own accounting
4 software and set up to conform with the Board's computer
5 software and then download the batches on a monthly basis.
6 The Board has four large waste tire hauling companies
7 utilizing the current method at this time. Along with
8 when the data is submitted electronically, it goes under
9 quality control prior to being implemented into our WTMS
10 system. So once that is in, the information is accurate
11 and complete.

12 --o0o--

13 PROGRAM MANAGER CAMBRIDGE: For the smaller less
14 computer savvy waste tire haulers, the Board has just
15 recently created the web-based data entry system where the
16 hauler may go and enter an individual waste tire
17 transaction, whether it's a pickup or delivery, on a daily
18 or weekly basis. This has shown to be quite appealing to
19 many of the smaller or mid-sized companies. Currently,
20 the Board has four of these companies that are used in
21 this web-based data mode entry with a few others on the
22 application process at this time. Again, it undergoes the
23 quality control prior to being submitted to the system.

24 --o0o--

25 PROGRAM MANAGER CAMBRIDGE: Shown here is an

1 invoice record for Wilson Way Tire. This is the first
2 waste tire hauler to go the web-based EDT. Unfortunately,
3 Paul Brink is not here today. He was planning on being
4 here to describe his process. But they have found it very
5 useful in the sense that they have taken their own form,
6 added some of the information the Board requires, and
7 makes it a lot easier for their haulers to already be
8 familiar with the form, fill out the form. And then when
9 it gets back to their office, they submit it. And
10 basically he has complimented us on the fact it's very
11 quick and easy and economical to do. Plus, there's no
12 errors, because the information will not be accepted
13 unless the errors have been corrected.

14 --o0o--

15 PROGRAM MANAGER CAMBRIDGE: Here we have a
16 diagram which shows EDT participants. Back in 2003 and
17 2004, we had two companies, which is Lakin and Golden
18 By-Products. And then in 2005, we were able to increase
19 that by another six, which included those two companies
20 but also Waste Recovery West, Tri-C Tire, Wilson Way Tire,
21 McCoy Tire, Schoettler, and Reliable Tire. All of these
22 companies are very happy with the system they currently
23 have.

24 --o0o--

25 PROGRAM MANAGER CAMBRIDGE: As you can see from

1 this chart, the use of the EDT has gone to approximately
2 35 percent of the total records submitted by haulers to
3 the Board in 2005. These EDT records will go through a
4 quality control prior to being placed into the system, and
5 there's no key data operator on the part of the CIWMB.
6 Once submitted and accepted by the Board, an error and
7 completeness rate is not compared to the handwritten forms
8 we still do see even with the comprehensive trip log.

9 --o0o--

10 PROGRAM MANAGER CAMBRIDGE: After the EDT process
11 was approved by the Board in March 2005, staff started
12 contacting the top 100 haulers to try to entice them into
13 the EDT process. Of 101 haulers, 5 percent of the haulers
14 were determined to be ineligible because of current
15 enforcement actions which would not qualify them for the
16 EDT process. However, we were able to get eight haulers
17 onto the EDT system, with another 5 percent that are
18 currently in the process of getting their form approved by
19 us and getting onto the system at this time. And then
20 approximately 16 percent have submitted their -- we've
21 given them applications. However, we have not received
22 the applications back from them.

23 Approximately 32 percent we still need to follow
24 up on. We tried to contact them, but they won't return
25 phone calls. But amazingly enough, 34 percent of them

1 have been contacted and at this time do not want to go
2 onto the EDT system because they felt the CTL form was
3 sufficient enough. They're very happy with that form.

4 --o0o--

5 PROGRAM MANAGER CAMBRIDGE: In conclusion, it is
6 staff's belief that the CTL form is widely accepted by the
7 regulated community. It is easier to complete, less time
8 consuming, places the responsibility on the haulers to
9 ensure the information is accurate and complete.

10 The printing and shipping costs have been greatly
11 reduced by utilizing this form as well. The generators
12 and end-use facility operators will have access to the
13 WTMS system shortly. Then they will be able to check up
14 on their own records to determine whether the hauler did
15 submit the information in an accordingly fashion.

16 Staff will continue to strive to get more haulers
17 onto the EDT process. And we also provide Board
18 consultants to assist in the transformation of this
19 process should there be a need for the larger companies
20 with their computer works. However, it's staff's belief
21 that it's going to be over time and basically word of
22 mouth to get more and more of the haulers onto the EDT
23 process. However, we strive for that zero waste.

24 Harvey Brodsky of the Tire Retread Information
25 Bureau is also here if you have any questions about the

1 retreaders regarding the forms of either EDT or the CTL
2 form.

3 Basically, that concludes my presentation. Are
4 there any questions I can answer?

5 CHAIRPERSON MARIN: No, Keith. I think you ought
6 to be congratulated. I don't know if there are any
7 questions from my colleagues. I can just tell you I am
8 very, very pleased. I know that when we came onto the
9 Board, I know Ms. Peace had already been working on that.
10 But I know Ms. Mulé and I when we were briefed on the tire
11 store room full of slips, I think she was pulling her hair
12 out. I can't believe what are we going to do with all
13 these forms.

14 We're very, very pleased. Just a remarkable
15 sense from our waste haulers to do it this way. What I
16 really like about the fact is that unless they fill out
17 all the information, it will not be accepted. The form
18 will not be accepted. That in itself has reduced the
19 amount of time and effort that our staff used to spend
20 because the forms were not adequately filled. And it was
21 back and forth. It was just a nightmare. But I think
22 we're all very, very pleased. I know Ms. Peace is smiling
23 broadly for it.

24 I know you wanted to make a statement.

25 BOARD MEMBER PEACE: It looks like it's a lot

1 more efficient than the old system, that's for sure. So
2 good work.

3 The question I have, did you say there was a form
4 that an end user can fill out or generator can fill out if
5 they were approached by a hauler that wasn't registered?

6 PROGRAM MANAGER CAMBRIDGE: It's a form, this 204
7 form which is unregistered hauler CTL substitution form.
8 I tried to find a shorter name, but I couldn't.

9 Basically, what this form is is if a hauler picks
10 up tires and does not leave a receipt with the generator
11 or end-use facility when they drop the tires off, we ask
12 those generators and end-use facility contact the hauler
13 and try to retain a receipt. If they don't, they can
14 access this form online or we can send it to them. They
15 fill out the information. And then we follow up with the
16 hauler and find out why they did not leave the receipt
17 with them.

18 BOARD MEMBER PEACE: Do we have any idea how many
19 illegal haulers are out there? Do we get very many tips
20 on illegal haulers?

21 PROGRAM MANAGER CAMBRIDGE: We do. At the
22 end-use facilities, the end-use facility also fills out
23 this 204 form as reporting unregistered haulers, anybody
24 hauling ten or more tires. We get on an average about --
25 I want to say probably about 20 to 30 a week from

1 landfills or end-use facility operators. Some of them may
2 be repeats. They might come in two or three times a day
3 bringing in tires.

4 What we do is when we get a report of that, we
5 check with our database and see if we've had prior
6 problems with that particular hauler or address or the
7 license number in the past. And then we send a letter to
8 them advising them they're basically violating our laws,
9 try to get them into the Manifesting Program. If that
10 doesn't work and we see repetitiveness, we either then
11 take enforcement action or send a field inspector out to
12 physically investigate what's going on with them.

13 CHAIRPERSON MARIN: And that's when Wendy comes
14 in.

15 PROGRAM MANAGER CAMBRIDGE: Yeah.

16 BOARD MEMBER PEACE: So do you get the feeling at
17 all out there that there are illegal haulers or haulers
18 that aren't filling out the forms and are not being
19 reported by the end users or the generators?

20 PROGRAM MANAGER CAMBRIDGE: You mean as far as
21 the manifest form or CTL form?

22 BOARD MEMBER PEACE: Yeah. When they just decide
23 not to fill them out.

24 PROGRAM MANAGER CAMBRIDGE: I believe most of the
25 haulers are doing that. What we are also looking at is

1 possibly once or twice a year sending out a report to all
2 the generators and end-use facilities saying this hauler
3 has been connected with your company, whether he's picked
4 up tires or such, so we can make sure that that hauler or
5 that generator/end-use facility is familiar with these
6 particular haulers dealt with. And if there isn't, to
7 notify us and we can do that. As well as like I mentioned
8 with the new WTMS 3 coming online shortly, both the end
9 use facility and generators will be able to access through
10 a port, see where their tire transactions have occurred
11 and if they have any discrepancies, definitely give us a
12 call and we can follow up on that.

13 BOARD MEMBER PEACE: Do we have enough records to
14 see if there's a trend? Like if these end-use facilities
15 are getting so many tires and just see if it's -- like if
16 there's a trend and how many they take, so if they start
17 taking -- I guess there's no way to find that out, is
18 there? In terms of generators, is there a way to find out
19 from generators if they're all using legal haulers and all
20 reporting?

21 PROGRAM MANAGER CAMBRIDGE: Yeah. In fact,
22 actually we did that about a year ago, I believe. We had
23 approximately 5- to 6,000 generators that had no manifest
24 records for the past year-and-a-half. So at that time, we
25 sent it to the field inspectors as well as the LEA

1 enforcement grantees. In their process, they can drop by.
2 Some of them they may have moved, gone out of business.
3 But then there was probably about 30 percent of them that
4 basically at the beginning did not want to comply with the
5 Manifest Program. So with our help, along with the
6 inspector's help, they can write up a Letter of Violation
7 at that time and get the person on board with the manifest
8 system. Many of those times it's probably them hauling
9 their own tires to the landfill or throwing them in the
10 trash or something of that nature.

11 BOARD MEMBER PEACE: So you feel like you're
12 getting more and more people on board?

13 PROGRAM MANAGER CAMBRIDGE: I believe so, yes.

14 CHAIRPERSON MARIN: Any further questions?

15 Ms. Mulé.

16 DEPUTY DIRECTOR LEE: Madam Chair, a few final
17 closing comments, if I may.

18 I want to pick up on the comment you made about
19 Mr. Cambridge. You correctly noted he's the main
20 architect of our transition. He's been with the program
21 through thick and thin. He recognized the deficiencies,
22 the problems we had. And like I say, he's been my point
23 man on this. And I think he's done an exemplary job.

24 In the same vain, I want to recognize the
25 contribution of Doug Ralston in our RT Section. Without

1 his contributions, you know, working closely with our
2 staff, we wouldn't have made the progress that we did.

3 And finally, I want to recognize Ms. Cheryl Peace
4 again. As our former Special Waste Committee Chair,
5 certainly without her active involvement and strong
6 encouragement, we wouldn't have proceeded down this path
7 as quickly as we did. So, again, we wanted to note that
8 and thank her for her assistance in that area.

9 CHAIRPERSON MARIN: She didn't even give you
10 Tums.

11 DEPUTY DIRECTOR LEE: No, Madam Chair.

12 BOARD MEMBER PEACE: I'm sure Doug and Keith were
13 pulling their hair out when I said, "We have to change
14 this." So thank you both for putting up with me.

15 DEPUTY DIRECTOR LEE: One final note for
16 clarification on the slides. While it may have looked
17 like we only have a handful, I think eight total people in
18 the EDT system, the important thing to note is these are
19 the largest. And, again, they do the bulk of the
20 business. Again, so having them involved means we have --
21 you know, they are disproportionately reducing the amount
22 of paperwork we're seeing. So the small nominal level,
23 but important point to be made.

24 CHAIRPERSON MARIN: Well, it is. And on the
25 80/20 rule, 80 percent of your business is done by 20

1 percent of your clients. So that follows it to a T.

2 Thank you very much, Keith. Now go out there and
3 do good.

4 That takes us to Item Number 13 and hopefully
5 will be the -- nope. The last one is 14. Okay.

6 CHAIRPERSON MARIN: Oh, we do have somebody that
7 wants to speak. I'm so sorry. Item Number 13, Harvey.
8 Please forgive me. You are with the Tire Retread
9 Information Bureau. And tell us that you're happy.

10 MR. BRODSKY: I'm the Managing Director. The
11 Tire Retread Information Bureau is a 501(c)(6), a
12 nonprofit industry association. And we represent the huge
13 majority of retreaders in California. And my focus today
14 is only on the retread aspect of the Manifest Program. We
15 are pleased. I am pleased. And as my good friend Keith
16 knows, we banged a few heads up here. And they put up
17 with me for that. And Jim Lee put up with me. And I'm
18 grateful for that last year when they were modifying the
19 program. And Keith was good enough to ask me to come up
20 today and make a few comments.

21 So what I did, I sent a special memo to our
22 members. And we have members all over the state. And I
23 asked them to respond to me by yesterday afternoon, not
24 realizing that yesterday was a holiday. So I probably
25 have a load of these in my office today, but I did have

1 four. And I brought copies of these that I'll leave with
2 you, Keith, and perhaps the Board members can get copies
3 of them. But I'd like to read these. I'll leave off the
4 accolades. I'll read what they had to say. These are
5 copies of actual e-mails that I copied.

6 This is from TP Tire Services in Arcadia,
7 California, a retreader.

8 "The new manifest system is still too
9 cumbersome, but way better than the first ones we
10 had to work with."

11 The second one -- these are not my words. These
12 are the words of the people. This is from SM Tire in
13 Santa Maria, California.

14 "I think the one thing we need to bring to
15 the table is the fact that when a retreader is
16 picking up tires in the field and transporting
17 them to their retread shop, we are not hauling
18 scrap tires. We are hauling the customer's
19 casing that has a value to our retread shop along
20 with the documentation of a DOT number, customer,
21 et cetera. The only time a load of tires should
22 need to be manifested and recorded with the State
23 is when they are really scrap and are being
24 hauled to the scrap tire disposal site. I know
25 this is wishful thinking with the State, but it

1 is a true statement."

2 Again, these are not my words. These are the
3 words of the people, our members.

4 This is from McCoy Truck Tire Service in Modesto.

5 "How is the manifest system limiting the
6 large illegal tire piles? It seems to me that
7 anyone who conforms with the system is not going
8 to illegally dump tires. And it is the
9 generator, hauler, or end-use facility that does
10 not conform to the manifest system that needs to
11 be inspected.

12 "Second, if I retread 80 percent of the tires
13 I manifest and the other 20 percent go to an
14 end-use facility, how does the State reconcile
15 the 80 percent that were returned to customers?

16 "Last, the manifest system we currently use,
17 EDT, is costing us about \$10,000 per year in man
18 hours, data entry, new work, order form, document
19 storage, training, and administration. I don't
20 claim to have a better system. But with the
21 large amount of funds created by the recycling
22 fee, we should be able to police this program
23 without costing California businesses any more
24 grief."

25 There's more here having to do with import of

1 tires that is not relevant. You will be able to read that
2 later on.

3 And the last one that we received is from Torelli
4 Tire Company in Southern California.

5 "My thoughts about this form are that it is
6 an improvement over the past. I think that
7 entering the full address each and every time I
8 contact the same customer with a valid TPID
9 number is a severe waste of my time. The same
10 goes for the phone number. If the TPID number is
11 not sufficient, then at the most the name of the
12 customer should be sufficient. The State can
13 certainly access the address and phone number if
14 they wish from the TPID number in their
15 computers. When and if the customer does not
16 have a TPID number, then the rest of the
17 information is, of course, necessary."

18 There are the four. But I'd like to summarize by
19 commenting and saying that I'm pleased that I went to the
20 trainings with the new program. And I think it is a vast
21 improvement. I understand there needs to be a Manifest
22 Program. The bulk of the Manifest Program is not having
23 to do with retreaders. We are kind of like the blind man
24 touching the elephant. We're only seeing what we want to
25 see and need to see. And I represent retreaders only.

1 But it is a vast improvement. I would love to
2 see it continually being improved. And I know everybody
3 in this room feels the same way. And perhaps some of the
4 comments I have here will help you, Keith. As I get
5 additional comments, which my guess is will be coming in,
6 I will forward them to Keith, and he can pass them along.

7 With that, I thank you all for letting me have
8 this time.

9 CHAIRPERSON MARIN: Thank you, Mr. Brodsky. I
10 really appreciate you spending the time here and doing
11 that polling, although unscientific, of your members.
12 Please rest assured that we will take very seriously your
13 comments and that of the constituents you serve. If there
14 are improvements to be made, let me tell you, we will give
15 them due consideration.

16 Let's go to Item Number 13 then.

17 DEPUTY DIRECTOR LEE: Board Item 13 is
18 Consideration of Proposed Allocation Concepts for Used Oil
19 Recycling Fund, Fiscal Year 2005-06, and Update on Used
20 Oil Recycling Program.

21 CHAIRPERSON MARIN: Mr. Lee, hold on one second.
22 Let me ask my colleagues. Do we need a break?

23 Can we take a five-minute break.

24 (Thereupon a recess was taken.)

25 CHAIRPERSON MARIN: Call the roll, please.

1 EXECUTIVE ASSISTANT BAKULICH: Mulé?

2 BOARD MEMBER MULÉ: Here.

3 EXECUTIVE ASSISTANT BAKULICH: Peace?

4 BOARD MEMBER PEACE: Here.

5 EXECUTIVE ASSISTANT BAKULICH: Petersen?

6 BOARD MEMBER PETERSEN: Here.

7 EXECUTIVE ASSISTANT BAKULICH: Wiggins?

8 CHAIRPERSON MARIN: Here.

9 EXECUTIVE ASSISTANT BAKULICH: And Marin?

10 CHAIRPERSON MARIN: Here.

11 We have only two more items to go. We're going
12 to go through them. If anybody wishes to get lunch,
13 you're just going to have to do it afterwards. After the
14 two last items of the Board, we're going to go into closed
15 session. And I'll let the attorney say why we're going
16 into closed session, justify that. And then after that,
17 it will be over. We suspect the closed session will be a
18 very, very short one, so we're not ordering lunch into
19 closed session so that everybody can hurry up and go.

20 Mr. Lee.

21 DEPUTY DIRECTOR LEE: Thank you, Madam Chair.

22 Board Item 13 is Consideration of Proposed
23 Allocation and Concepts for Used Oil Recycling Fund,
24 Fiscal Year 2005-06, and Update on the Used Oil Recycling
25 Program.

1 This agenda item discusses our progress in
2 carrying out the provisions of the Board-approved Used Oil
3 Implementation Plan. Since this was discussed at length
4 at the previous Committee meetings, we won't go over those
5 for you again this afternoon -- it is afternoon -- unless
6 there's questions. However, we will take some time to
7 review for you the funding allocation set forth and
8 described in statute and those over which the Board can
9 exercise more discretion.

10 We will be requesting your approval of proposed
11 discretionary expenditures from the Used Oil Fund for
12 statewide education and outreach and for a contract
13 concept to further the implementation plan and for
14 competitive grants.

15 Staff will also touch upon current fund condition
16 projections for this and future years which indicate that
17 insufficient funds may be available next year to enable us
18 to offer competitive grants or to provide for
19 discretionary expenditures for statewide outreach or
20 contract concepts in support of our Used Oil
21 Implementation Plan.

22 The item was heard before the Special Waste
23 Committee in December. At that time, some Committee
24 members expressed concern about some of the proposed
25 statewide outreach components, especially in light of

1 future fund projections. Therefore, the item was revised
2 to make it more responsive to issues raised at that forum
3 and brought back before the Special Waste Committee in
4 January. Staff had eliminated the contract concept
5 proposal for Marina Oil Collection recycling study. The
6 proposal for continued advertising with DMV was dropped.
7 Staff also trimmed expenses for training at the annual
8 conference and the other line item outreach proposals.

9 The goal was to increase available funds for use
10 in a new statewide outreach proposal administered by the
11 Office of Public Affairs, the details of which will be
12 presented to the Board at a later date. Alternatively,
13 the funds can be rolled over or used for other projects at
14 the Board's discretion.

15 At the January Special Waste Committee, staff's
16 revised proposals for statewide outreach were well
17 received. However, concerns were expressed by some
18 Committee members and stakeholders about another staff
19 proposal for postponing the 2.4 million competitive grant
20 awards scheduled for this fiscal year. And that grant was
21 the Opportunity Grant.

22 Staff's proposal was a logical outgrowth of the
23 discussion at the December Special Waste Committee and
24 what we considered to be calls for fiscal prudence. It
25 provided more options for the Board, should worst-case

1 funding scenarios in future years come to pass. Staff
2 pointed out that we did not feel this proposal would
3 unduly impact stakeholders. This contention was based on
4 the fact that the Opportunity Grant is statutorily
5 described to provide to local jurisdictions,
6 "opportunities for used lubricating oil collection which
7 are an addition," to those provided by the Block Grant.

8 Staff pointed out at the January Special Waste
9 Committee meeting that many local jurisdictions have
10 substantial reserves of unspent Block Grant funds which
11 would mitigate the impact of the unavailability of an
12 Opportunity Grant award.

13 That said, some stakeholders, while acknowledging
14 staff's analysis and conclusions, have come to rely upon
15 the Opportunity Grant for basic program maintenance and
16 support and indicated its loss would be detrimental.

17 To provide more background and perspective and to
18 assist the Board in digesting all of this information and
19 reaching a decision, I've asked our Administration
20 Division to reprise a presentation on the Used Oil Fund
21 condition made at the November Board meeting in San Diego.
22 Because of the shortness of the time, the November
23 discussion was abbreviated. Tom Estes and his staff will
24 go over how the Used Oil Fund is allocated based on the
25 prescriptive requirements in statute. They will also go

1 over the genesis of the fund condition situation which we
2 will have to deal with in the not-too-distant future.

3 We will then discuss with you three alternatives
4 proposed by Program staff which our Legal Office can
5 endorse for dealing with the competitive grant allocation
6 issue. These options are: Postpone the entire 2.4
7 million Opportunity Grant award for this fiscal year;
8 allocate the entire 2.4 million this year; or do a partial
9 award of 1.6 million this year. In an attempt to
10 reconcile all the competing demands and Board member and
11 stakeholder concerns, staff recommends approval of a
12 partial grant award this year.

13 With that overview, I'd now like to ask Tom Estes
14 and his staff to make the next part of the staff
15 presentation.

16 CHAIRPERSON MARIN: Mr. Estes.

17 MR. ESTES: Good morning, Board Members and Chair
18 Marin. I guess it's good afternoon.

19 As Jim said, we're going to reprise the
20 presentation that we gave to you in San Diego. This will
21 be the first time for Board Member Wiggins. It will focus
22 basically on how the funds are distributed in sort of a
23 generic overview. Helen Carriker, our Manager of our
24 Financial Services Branch, will do that piece. Then Elsie
25 Brenneman, our Budget Officer, will pick up the options

1 and walk you through the numbers how those options play
2 themselves over the year.

3 The one thing I wanted to also tell you is there
4 was some concern. We heard some comments that our
5 revenues may not be what we think they are. We wanted a
6 further discussion of the revenues. We will give you that
7 picture in March. That is our intent to bring you --
8 we've studied this for about a year. Revenues are
9 essentially flat, but we don't believe they are abnormal
10 or that we're not getting what we should. So if we can
11 defer that discussion until March, we'll just go ahead
12 with how the fund distributes out per statute and then
13 kind of discuss the options.

14 With that, I will turn it over to Helen Carriker.

15 CHAIRPERSON MARIN: Thank you, Helen.

16 (Thereupon an overhead presentation was
17 presented as follows.)

18 BRANCH MANAGER CARRIKER: Good afternoon, Madam
19 Chair and Board members. Helen Carriker, Financial
20 Assistance Branch Manager.

21 The statutory formula, as you know, is in statute
22 of how the fund distributes.

23 --o0o--

24 BRANCH MANAGER CARRIKER: We have different
25 categories that the fund goes through. First of all, you

1 have to go through Category 1, which is like the Recycling
2 Incentive Program where the oil recyclers give money back
3 at 16 cents a gallon for those who recycle oil. We also
4 have the toxics investigation and the administration and
5 then the million-dollar reserve. Category 2 is the Block
6 Grants, \$10 million Block Grants. And Category 3 is your
7 farm and ranch transfer, toxics again, contaminated oil
8 payments, OEHHA, CalEPA direct, and then State
9 Controller's Office.

10 The item you're looking at today is really your
11 Category 4 and 5. Category 4 is the competitive grants,
12 which the way they've been doing it for the past few years
13 has been doing it 60 percent annually in two-year cycles.
14 So, for instance, the one that was up this year is the
15 Opportunity Grants. And every other year it would be
16 Nonprofit and Research against Opportunity. Category 5 is
17 your Education and Outreach.

18 --o0o--

19 BRANCH MANAGER CARRIKER: This is from the
20 November item, and it's basically trying to show the
21 public and the Board members of how the revenue and the
22 expenditures are not in line. You'll see the revenue is
23 lower than the total expenditures. What we're trying to
24 say is in out years the money for the Opportunity Grants
25 in the Category 4 and 5 doesn't look like it's going to be

1 there as much.

2 With that --

3 DEPUTY DIRECTOR LEE: Thank you, Helen.

4 Again, I think as I mentioned in my opening
5 remarks, what we'd like now with that kind of overview is
6 to kind of discuss the three options we have on the table
7 for dealing with those competitive grants. I think these
8 are probably most easily illustrated in the Attachments 5
9 A, B, and C. I'd probably like Elsie Brenneman to kind of
10 walk us through this with the funding implications for
11 each of those.

12 CHAIRPERSON MARIN: Welcome, Elsie.

13 BUDGET OFFICER BRENNEMAN: Good afternoon. I'm
14 Elsie Brenneman, Budget Officer for the Administration and
15 Financial Division.

16 --o0o--

17 BUDGET OFFICER BRENNEMAN: I just wanted to go
18 over the fund conditions for the three proposals that
19 Program is putting before you. The first one reflects
20 postponing the Opportunity Grants for fiscal year 2005 and
21 '06. You'll see on the resources the top part of the fund
22 condition shows two negative numbers, which are pending
23 refund claims and a pending revenue adjustment. Those
24 numbers may change. They're pending. So they do not
25 effect the numbers for Category 4 and 5. We've leaving

1 that amount based on the year-end statements that we gave
2 them earlier in the year. So you'll see if they do not do
3 the Opportunity Grants and they maintain the 809 and the
4 education, they will have reduced amount in the 06-07
5 year, but it won't be reduced as much as it will be if we
6 do do all of the Opportunity Grants.

7 The next slide shows we fully fund the 2.4 for
8 the Opportunity Grants. And you will see in the 06-07
9 fiscal year you will not have any funding for Category 4
10 and 5. And, actually, you will be in the negative fund
11 balance, and you'll be eating into your million-dollar
12 reserve.

13 The third picture here shows the reduced
14 Opportunity Grants, which is basically the 40 percent as
15 prescribed through statute. If we actually only allocated
16 the 1.6 million for the Opportunity, we would have
17 approximately 1.2 for Category 4 in the 06-07 year.
18 And I believe this is the funding level that Program is
19 recommending.

20 Thank you.

21 DEPUTY DIRECTOR LEE: Madam Chair, that concludes
22 staff's presentation. Again, we're prepared to answer any
23 questions you might have at this time.

24 CHAIRPERSON MARIN: Okay. Well, I thank you,
25 Mr. Lee. I know that, you know, we discussed this during

1 the Committee meeting, and there are no easy choices. The
2 pie is not expanding. The pie is getting smaller. And
3 there comes a time when, you know, the sooner we realize
4 that that is happening, the less commitments we're going
5 to make and the fewer expectations we're going to harbor
6 amongst us as the recipients of these grants.

7 Having said that, I believe your proposal, if you
8 will, your recommendation, is well thought out. There are
9 a number of jurisdictions. And while we discussed a
10 number of things that were really not relevant to the
11 issues before us during the Committee meeting, I believe
12 that your compromise, if you will, or your recommendation
13 is a good one.

14 I don't know if anybody else has any questions or
15 comments, but we discussed this ad nauseam at the
16 Committee meeting, and we asked staff to come back with
17 their best recommendation. I think you've done that. So
18 I really appreciate that.

19 I know Ms. Peace -- and Ms. Wiggins wasn't there.
20 So if you have any questions, this would be the time to do
21 that.

22 Yes, Ms. Wiggins.

23 BOARD MEMBER WIGGINS: So staff is recommending
24 1.6 million for the Opportunity Grants. What was the
25 original amount? What would the original amount have

1 been?

2 DEPUTY DIRECTOR LEE: 2.4 million, the entire
3 Category 4 allotment, is what is potentially available.

4 BOARD MEMBER WIGGINS: And is there priority for
5 where this 1.6 million will go? I mean, we heard from the
6 rural counties. Rural counties always get the short end
7 of the stick, and I just wondered if there was any
8 priority for them.

9 DEPUTY DIRECTOR LEE: Well, quite the contrary.
10 The Board has taken the great efforts of the past years
11 again to ensure that the rural counties are properly
12 represented. Even the statute provides a base level of
13 funding for the smaller districts. I think the point that
14 the -- I want to call the ESJPA has been kind of the rural
15 counties liaison, if you will. Even they acknowledged
16 again the Board's contribution in this particular area.
17 And they were the ones that kind of brought up the fact
18 that they need the Opportunity Grant, you know, to provide
19 even additional support that the Block Grant doesn't.

20 BOARD MEMBER WIGGINS: Well, back to the question
21 about is there a priority about where this 1.6 would go?

22 CHAIRPERSON MARIN: Let me answer that,
23 Ms. Wiggins. No. Opportunity Grants are grants that
24 people -- what do you call it? They're competitive.
25 Every jurisdiction has the opportunity to compete for

1 these funds. We do have other grants where it was the
2 north versus the south, urban versus rural and so forth.
3 But these particular grants, they are competitive.

4 BOARD MEMBER WIGGINS: Okay.

5 DEPUTY DIRECTOR LEE: Ms. Wiggins, one additional
6 clarification on that, too. I'll ask my staff to come up
7 to the podium. My understanding is the criteria for the
8 Opportunity Grants in the past has reflected the
9 additional consideration for rurals.

10 Can you refresh my memory on that?

11 SUPERVISOR CORNWALL: Bonnie Cornwall, and I'm a
12 Manager in the Special Waste Division.

13 If we look at the Opportunity Grants over the
14 past number of years, there have been 140 jurisdictions
15 who have taken advantage of the Opportunity Grant out of
16 250 of our total applicant pool that have Block Grants.
17 So it's very widely distributed. We will be coming back
18 before you in February with particular criteria which
19 establishes the priorities. Each cycle generally had
20 priorities. As an example, we've had priorities for
21 filter exchange, for marina programs, a variety of things
22 that our analysis shows are gaps within the programs.

23 There's 20 points typically that's allocated to
24 need, and that is where rural communities typically really
25 make their strong case on why they need additional

1 funding. So when Ms. Marin says it's competitive, they
2 have the opportunity and I believe responsibility to show
3 why they need additional funds. Rurals have been very
4 well funded through this program. And as Mr. Lee noted,
5 while the statute indicates a per capita distribution,
6 we've raised the minimum level so that every county gets a
7 minimum of \$10,000 and every city \$5,000 for their base
8 program. So I think rurals have done well through this
9 program and supported their efforts.

10 Understandably, sometimes some of the costs may
11 be higher hauling costs, et cetera. But we try to work
12 with them to provide examples with other communities who
13 have done an exceptional job and have overcome some of
14 those barriers. That's much of what our technical
15 assistance does.

16 So we'll be coming back in February if the Board
17 should pass on this recommendation with the criteria.

18 CHAIRPERSON MARIN: Okay. Thank you.

19 Ms. Peace.

20 BOARD MEMBER PEACE: I really want to think about
21 this, because I think we need to really think about
22 furthering the program goals and not, you know, just
23 getting the money out the door.

24 Is it true that most of our grantees were not in
25 need of the funds right now?

1 DEPUTY DIRECTOR LEE: Staff made a presentation
2 at the Special Waste Committee meeting that, based on our
3 looking at the statistics, there's available Block Grant
4 funds. You know, most of the jurisdictions have
5 reservoirs of unspent funds that would mitigate the
6 impact. That was why we felt comfortable making the
7 recommendation we did earlier that, you know, postponement
8 was a viable alternative.

9 BOARD MEMBER PEACE: If we did postpone the full
10 amount, how long would it actually delay the grantee from
11 receiving funds? It wouldn't take a whole year before
12 this came up again technically; right?

13 DEPUTY DIRECTOR LEE: I'll let my staff discuss
14 that. I think we've run some tentative scenarios of the
15 time for getting the grant on the street if we go for
16 using the 05-06 funds or if it was postponed.

17 SUPERVISOR CORNWALL: In terms of when grantees
18 would get the money, at this point it would be an
19 incredibly tight cycle. You know, if we come with a
20 criteria item in February, you mentioned the previous
21 grant how for the Tire Grant how giving people 60 days
22 would be tight. I don't think we'll have 60 days in order
23 to encumber this money by the end of the fiscal year. We
24 have to make our decisions, come back to you with an award
25 item, and then get the grants out on the street. The math

1 is going to be tough, and we'll explore those when we come
2 back.

3 However, you know, one of the things that we
4 could look at -- this is very late in the year to get our
5 figures for 05-06. So if we knew what the availability of
6 funding was, we could come back in, you know, a matter of
7 months when the new fiscal year comes. In other words, if
8 we could move up the OG cycle from 06-07 to much earlier
9 in the year, if we could get numbers from budgets on how
10 much we could expend, conceivably we could give grants out
11 in the fall by postponing, because we have our new money
12 coming in July. So I have not had the opportunity to talk
13 with them about this. But since you raised the question,
14 you know, we wouldn't have to wait until a full year to go
15 out with the Opportunity Grant because the fiscal year
16 starts in July.

17 CHAIRPERSON MARIN: I wish we could have explored
18 this.

19 SUPERVISOR CORNWALL: Well, since I'm standing
20 here, and you know off the top of my head, perhaps we
21 could explore that when we bring the criteria item in
22 February.

23 What we would really like to move forward with
24 now is the education and outreach and the research
25 contracts so we can move forward with that. And I'll let

1 legal and others advise whether or not we could re-examine
2 the Opportunity Grant when we do that, if there's any
3 possibility of doing that when we come with criteria.

4 PROGRAM MANAGER YE: Could I add something to
5 that? This is Kristen Ye, one of the Program Managers in
6 the Used Oil.

7 Based on the projections we do have from budget,
8 if we were to roll it over, the Opportunity Grant
9 technically could be available for 06-07 at 845,000. And
10 there would be 211 available for non-profits as well as
11 for R&D. But if we were to go with the 1.6 currently,
12 then next year we would have if you look on the options --

13 BOARD MEMBER PEACE: You would have such a small
14 amount, the 197 and 49. That's hardly enough. You wonder
15 will our stakeholders -- will it be worth their while to
16 apply for grants with that little bit of money in the pot.

17 DEPUTY DIRECTOR LEE: It probably will not. But
18 what we were asked to consider by the Special Waste
19 Committee, the feasibility of it. I think again we've
20 arrayed three options. You know, our Legal Office says,
21 you know, the Board could reasonably choose any of them.
22 You know, of them, the idea of going with the entire 2.4
23 million is something that staff would not recommend,
24 although it is a viable one.

25 We have proposed going with a partial because we

1 feel that will best reconcile the various opinions that
2 we've heard from stakeholders and Board members. And I
3 think probably the best way to describe that is that is
4 something that we can live with. We said before that
5 postponing it from our standpoint makes the most sense.
6 So that's how we stand with regards to the three
7 alternatives.

8 CHAIRPERSON MARIN: Let me see if I -- because
9 we're going to have to make a decision on this, whether we
10 go through -- I understand right now the first one, full
11 funding, is really not an option that we ought to
12 consider.

13 So the second alternative is whether we don't do
14 it at all. Just roll over the entire amount,
15 understanding that next year there'll be about \$800,000 to
16 deal with.

17 And, lastly, use 1.6 now, but knowing that next
18 year there will be absolutely nothing.

19 That's the question before us, is when do we
20 spend the money and how much? So staff is recommending
21 the expenditure of 1.6 this year.

22 BOARD MEMBER PEACE: I think what Jim just said
23 is they came up with another option. But there's
24 priority -- the thing they think is still best for the
25 program is to postpone the total 2.4 to the next year.

1 Remember, that fiscal year is just what --

2 CHAIRPERSON MARIN: Was that your recommendation,
3 Jim?

4 DEPUTY DIRECTOR LEE: My recommendation, to
5 repeat, is any of the three -- three alternatives have
6 been arrayed. Staff's revised recommendation was to go
7 with a partial award, given the concerns expressed at the
8 Special Waste Committee and the stakeholders. We can live
9 with a 1.6 partial award. However, again, they asked what
10 our clear preference is, it would be to postpone the grant
11 until next year.

12 CHAIRPERSON MARIN: Okay. Let's see. This is
13 not -- Mr. Leary, what is staff's recommendation?

14 EXECUTIVE DIRECTOR LEARY: The staff
15 recommendation is to allocate 1.6 million in the current
16 year.

17 CHAIRPERSON MARIN: Is there a motion for that?

18 BOARD MEMBER MULÉ: Madam Chair --

19 BOARD MEMBER PEACE: Just a minute. It sounds to
20 me like there's two different things. Mr. Leary is saying
21 the staff recommendation is to do the 1.6 and --

22 CHAIRPERSON MARIN: Mr. Leary speaks for the
23 staff. That's why I went to him. And I am not going to
24 pit one against the other.

25 So is there a motion on the floor?

1 BOARD MEMBER PEACE: I would like to move
2 Resolution 2006-15, Option 1.
3 CHAIRPERSON MARIN: Okay. It dies for a lack of
4 second.
5 Is there a motion?
6 BOARD MEMBER MULÉ: Madam Chair, I'd like to move
7 Resolution 2006-15 Revised, which I believe is Option 2.
8 DEPUTY DIRECTOR LEE: Option 3 is the staff
9 recommendation.
10 BOARD MEMBER MULÉ: Option 3.
11 BOARD MEMBER PETERSEN: I'll second that.
12 CHAIRPERSON MARIN: Moved by Ms. Mulé, seconded
13 by Mr. Petersen.
14 Please call the roll.
15 EXECUTIVE ASSISTANT BAKULICH: Mulé?
16 BOARD MEMBER MULÉ: Aye.
17 EXECUTIVE ASSISTANT BAKULICH: Peace?
18 BOARD MEMBER PEACE: No.
19 EXECUTIVE ASSISTANT BAKULICH: Petersen?
20 BOARD MEMBER PETERSEN: Aye.
21 EXECUTIVE ASSISTANT BAKULICH: Wiggins?
22 BOARD MEMBER WIGGINS: Aye.
23 EXECUTIVE ASSISTANT BAKULICH: Marin?
24 CHAIRPERSON MARIN: Aye.
25 Okay. We get to the last Board item, Item Number

1 14.

2 BOARD MEMBER MULÉ: Madam Chair, before we move
3 to Item 14, can I just make a few comments on Item 13?

4 CHAIRPERSON MARIN: On Item 13, the one we just
5 did?

6 BOARD MEMBER MULÉ: Yes.

7 CHAIRPERSON MARIN: Sure.

8 BOARD MEMBER MULÉ: You know, I really do
9 appreciate all of the work that Jim and his staff has
10 done, as well Tom and his staff, in explaining the fund
11 and how it works and the exemptions. I learned a lot last
12 week, and I just want to thank you all for that.

13 I just think, Madam Chair, that this is exactly a
14 great topic area for us to have a detailed policy
15 discussion on how we allocate these dollars, because I do
16 have a lot of questions on how Categories 1 to 3 are
17 determined. You know, if there is a formula, you know,
18 how is that done? And also how we can maybe perhaps apply
19 some fiscal prudence to those categories as well. So I
20 just want to say I think this is a great subject matter
21 for us to delve into in the future.

22 CHAIRPERSON MARIN: We're going to really have to
23 do that. And I know you're going to be -- thank you,
24 Ms. Mulé. You're going to be bringing further
25 understanding before us in March. So that I think will

1 set the tone for discussion so we can try to get to the
2 best public policy that we can do.

3 Okay. Ms. Nauman.

4 (Thereupon an overhead presentation was
5 presented as follows.)

6 CHIEF DEPUTY DIRECTOR NAUMAN: Julie Nauman,
7 Chief Deputy Director, presenting Item Number 14, along
8 with Rubia Packard. And this is Consideration of
9 Streamlining Grant Processes to Enhance Program
10 Efficiency.

11 Before I begin the formal presentation, I just
12 want to take a moment to acknowledge our staff's
13 commitment to streamlining and improving our grant
14 processes and to thank the staff which has been working
15 very hard on this issue for actually a number of years, as
16 you'll see as we go through the history of this. That
17 includes Program staff who participated in the initial
18 assessment of our grant programs, includes the members of
19 our Grants Executive Oversight Committee, which we refer
20 to as GEOC, the GPAD group you'll be hearing more about.
21 And I'd like to give special thanks to the entire GEOC and
22 GPAD staff, but especially to Rubia Packard who has been
23 with me and with this issue from the very beginning. And
24 she will be co-presenting today. So with those thanks,
25 I'd like to begin the formal presentation.

1 As our programs and responsibilities have grown
2 over the years, so has the need to continuously assess how
3 we do our work to ensure efficiency and effectiveness both
4 in the use of our resources and in how we impact our
5 stakeholders. And grant programs is a good example of
6 this.

7 About ten years ago, if you look back to fiscal
8 year 95-96, at that time the Board awarded approximately
9 \$24 million through 371 grants in just eight grant program
10 areas. By 04-05, the Board was awarding approximately 35
11 million using 561 grants and 16 grant program areas. This
12 is an increase of 45 percent in funding over ten years and
13 51 percent increase in grants awarded. That's a
14 tremendous growth curve.

15 For the current year, the Board's grant programs
16 reflect 19 percent of the Board's total revenue
17 expenditures. Obviously, the impact of this type of
18 increase on staff, the Board, and of course our
19 stakeholders is quite substantial, thus leading to our
20 desire to continuously improve our programs and processes.

21 What we are presenting today should be considered
22 not just the results of our efforts to date, but really a
23 work in progress. As you'll see, our work is definitely
24 not finished. We will continue to examine and evaluate
25 our programs and practices and bring forward to the Board

1 policy questions as they arise.

2 --o0o--

3 CHIEF DEPUTY DIRECTOR NAUMAN: In this
4 presentation, let me start by going over some of the
5 background and history of our program improvement efforts
6 over the last several years, describing some of the
7 streamlining efforts we have accomplished or have
8 underway, and discuss the process we have gone through
9 recently, and finally present recommendations for some
10 changes for your discussion and approval.

11 Because we have some new Board members with us
12 who might not be as familiar with our programs as other of
13 you, as part of the background and history, I'll briefly
14 describe the kind of work necessary to ensure that grant
15 funding is allocated, awarded, and expended in a timely
16 manner, in an effective manner, which is basically the
17 essence of the very process we've been working on to
18 improve.

19 --o0o--

20 CHIEF DEPUTY DIRECTOR NAUMAN: So moving now to
21 the background and history. The assessment that I
22 referred to was one that was commissioned by our Executive
23 Director, Mr. Leary, in January 2002, again in recognition
24 of the fast growth of our number and amount of dollars
25 involved in our grant programs. That process was an

1 internal process focusing on our internal processes and
2 the needs of our staff to be able to effectively and
3 efficiently operate these growing grant programs.

4 As you can see in the slide, it says the purpose
5 is to document and improve our grants. The report was
6 finalized in 2002 in October. And at that time, the
7 Board's Office of Organizational Effectiveness actually
8 conducted the assessment based on input from 16 internal
9 focus groups in numerous interviews with our management
10 and staff. We had a total of 63 staff participating in
11 this assessment. Basically, the staff that was involved
12 in the administration of grants at that time.

13 We looked at how grants were administered, what
14 the internal business needs were to make the grant program
15 successful, including all the processes and all the tools
16 that we had in place at the time.

17 --o0o--

18 CHIEF DEPUTY DIRECTOR NAUMAN: There were a
19 number of findings that came out of this assessment.
20 You'll see them listed on the slide one through five. The
21 first four are really very much related to each other in
22 that they deal with how we manage our work, what
23 procedures are in place, how direction from the Board is
24 translated into action, and clearly delineating who does
25 what, what roles the various elements of our organization

1 play in administering grants.

2 We confirmed that our processes and procedures
3 were not consistent across the Board's divisions and
4 Board's grant programs and that the procedures were not
5 documented consistently or provided to staff in an easy to
6 use updated way. In addition, it became very clear that
7 we needed to create and institutionalize a way to
8 translate both formal and informal direction from the
9 Board into processes and procedures and to provide that
10 information to staff in a timely manner. Roles and
11 responsibilities were also a bit unclear in several areas.
12 And, last, we confirmed that the existing database system,
13 which we refer to as GRATIS, did not have the capability
14 in terms of information capture and reporting that we
15 required.

16 --o0o--

17 CHIEF DEPUTY DIRECTOR NAUMAN: So responses and
18 actions. In response to the assessment, two immediate
19 actions were recommended and implemented. First was the
20 establishment of an Oversight Committee at the executive
21 level to develop, review, and/or approve policies and
22 procedures for the Board's grant programs. This became
23 known as the Grants Executive Oversight Committee, GEOC.
24 I'll describe that in a little more detail later in the
25 presentation. The second immediate response was

1 initiating a project to document the Board's policies,
2 procedures, and processes to ensure that they are accurate
3 and consistent across programs and that staff have access
4 to this information. Sounds like a pretty easy task, but
5 I'll tell you more.

6 The document project was accomplished through a
7 cross-organizational team which we refer to as the Grants
8 Planning and Documentation Team, somewhat of a subset of
9 GEOC. We refer to this as GPAD. Rubia led that effort to
10 review and document every step and every procedure or
11 process required to implement our grant programs and to
12 clarify roles and responsibilities at each step. The team
13 also identified and brought forward to the GEOC or to the
14 Board any policy or procedural issues that arose that
15 needed resolution.

16 The team also drafted the process currently in
17 place for raising issues, implementing Board direction,
18 and revising processes and procedures that we've been
19 using now for some time.

20 --o0o--

21 CHIEF DEPUTY DIRECTOR NAUMAN: The end result of
22 the work done by GPAD under the GEOC oversight was the
23 creation of a tool for use by grant program staff that
24 contains all of the procedures staff need to follow in
25 order to implement the Board's grant programs. So they

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1 took all the written and unwritten processes, procedures,
2 and policies that have been floating around this
3 organization, pulled it all together, tried to establish
4 some consistency, and then established this web-based
5 tool.

6 So, in effect, the tool is a procedural manual
7 located on the Board's internal grants web page. The tool
8 is structured in such a manner that staff can focus on any
9 particular task or phase in the grant process. Question
10 arises in the course of their work, and they can go to
11 this tool and get direction immediately available for
12 their use. They no longer have to shop for an answer from
13 among other program staff or management.

14 The tool is also considered by all of us a work
15 in progress, as grant procedures, policies, and direction
16 from the Board can and will change. And those changes
17 will be incorporated into the tool in a timely manner.

18 Last, the Board's GRATIS data system was just
19 unworkable. So our Information Management Branch with the
20 assistance of many of our Grant, Program, Legal and other
21 Administration and Finance Division staff created the
22 current grants management system, which we refer to as
23 GMS, to provide the level of data capture and reporting
24 that we need to do our work.

25 --o0o--

1 CHIEF DEPUTY DIRECTOR NAUMAN: Now, in order to
2 accomplish the steps taken in response to the assessment
3 and in order to organize our work effectively and to
4 clarify roles and responsibilities appropriately, we had
5 to take a step back and analyze and understand the flow
6 and type of work that occurs in grant programs. As you
7 can see from the slide, we've categorized the grant cycle
8 into a number of steps: Grant fund allocation; cycle
9 start-up; grant allocation; re-allocation of funds; grant
10 management; and finally, audits. Let me just talk a
11 little bit about these as we review roles and
12 responsibilities for the four major types of activities.

13 --o0o--

14 CHIEF DEPUTY DIRECTOR NAUMAN: When we talk about
15 the six major phases in the grant cycle, this is really
16 how the staff sees their work, and this is how the
17 web-based tool is built so that staff can go to those
18 steps as they're doing their work and get the specific
19 direction they need.

20 For those of us that look at this from a little
21 bit higher level and are looking at organizational
22 management, it's at least easier for me to understand this
23 by breaking it down into these four major types of
24 activities. You basically have the preparation and
25 planning phase; the review, scoring, and awarding phase;

1 management of the grant with the grantee; and post-grant
2 auditing. So the question here is, who does what? What's
3 the appropriate alignment of responsibilities?

4 The first two phases encompass the preparation
5 and planning done by staff that includes the grant fund
6 allocation, which is approved by the Board through an
7 agenda item prepared by Grant Program staff and
8 Administration of Finance staff together, and planning the
9 cycle, establishing a time line, developing scoring
10 criteria, and the Notice of Funds Available, and
11 soliciting applications.

12 Development of grant terms and conditions and
13 scoring criteria is done by Program staff with review by
14 the Legal Office.

15 The Grants Administration Unit handles the input
16 of cycle information into the grant management system or
17 database and generally assists staff in tracking what's
18 happening in a particular cycle.

19 The second major type of work is reflected in
20 Phase 3 which includes the receipt of the applications by
21 our Grants Administration Unit, and they do the initial
22 completeness review and enter the necessary data into our
23 data system, the GMS; scoring the applications, which is
24 done by Program staff through established scoring panels;
25 reviewing and documenting final scores; and preparing an

1 agenda item for the award of grants.

2 In order to ensure fairness, the Grants
3 Administration Unit and our Administration and Finance
4 Division assists in this process by allocating the
5 applications to the scoring panels. Also included is
6 preparing and finalizing the grant agreement with the
7 grantees. Our GAU and our Accounting Unit assist with
8 these tasks as grant agreements and grant amounts are
9 tracked for completeness and again entered into GMS.

10 Phase 4 is actually the management of the grant
11 post-award. And this is about project performance by the
12 grantee; oversight of grant activities and expenditures by
13 staff; approval of requests for payment of grant moneys;
14 closing out the grants; and evaluating the program cycle.

15 Program staff manage the implementation of the
16 grant projects and approve expenditures while their
17 accounting office then submits the request for payment to
18 the Controller's Office.

19 The last phase is audits. This involves internal
20 or external audits of a percentage of grant agreements to
21 ensure adherence to procedures by our staff and to the
22 grant agreement by the grantee. Board staff and our Admin
23 Division conduct a number of these audits, and our work is
24 also audited by the Department of Finance.

25 As you can see, there are many challenges

1 inherent in organizing this work and ensuring that we have
2 the proper programmatic and fiscal oversight of our Grants
3 Program. And it really is a lot of shared roles and
4 responsibilities, as you can see.

5 --o0o--

6 CHIEF DEPUTY DIRECTOR NAUMAN: Now I'd like to
7 move on to our continuous improvement process. And here I
8 want to emphasize that we have been in a continuous
9 improvement process since we conducted the Grants Program
10 assessment based both on the Board's direction and desire
11 to streamline and make our programs more efficient and
12 effective, and also on staff's desire to do the same and
13 to better manage the tremendous grant workload that we do
14 with our limited resources.

15 The structure that we have used to accomplish
16 much of the improvement in streamlining is through our
17 Grants Executive Oversight Committee. As always, a
18 critical piece has been obtaining external stakeholder
19 input.

20 --o0o--

21 CHIEF DEPUTY DIRECTOR NAUMAN: So as we have done
22 this evaluation work, we've had several objectives in
23 mind. These objectives include: Streamline the process
24 in terms of time and resources; make data entry more
25 accurate and efficient; ensure consistency; use electronic

1 capability where possible; eliminate duplication of
2 effort; simplify the agenda item process; and take
3 timelier action.

4 Because the GEOC has been critical to our
5 efforts, I'd like to talk a little more about that
6 structure and highlight some of the accomplishments that
7 demonstrate the success of this oversight Committee and
8 how well the structure has worked for us.

9 --o0o--

10 CHIEF DEPUTY DIRECTOR NAUMAN: The GEOC consists
11 of the Division Deputy Directors; Administration of
12 Finance; Special Waste; Waste Prevention and Market
13 Development; Permitting and Enforcement; and Diversion
14 Planning and Local Assistance; our Staff Counsel from our
15 Legal Office, Chief Deputy Director who serves as the
16 Chair, that's me. And staffing for the GEOC includes
17 Grants Administration Unit staff and representatives from
18 our Executive Office, Rubia. So you can see it's a very
19 high level group of people brought together to grapple
20 with issues as they arise on almost sometimes a daily
21 basis and to be able to give immediate feedback, to have
22 the authority from the Board to act, and to also recognize
23 then when items need to come before the Board for your
24 consideration.

25 As approved by the Board, the GEOC is responsible

1 for developing, reviewing, and approving policies and
2 procedures for the Board's grant programs based on your
3 direction; for interpreting and providing implementation
4 guidance on formal and informal Board direction; for
5 ensuring the policies, procedures, roles, and
6 responsibilities remain clear and are communicated to all
7 parties; and for monitoring and continuously assessing the
8 effectiveness of our grant programs, leaving to
9 simplifying and streamlining those processes where
10 appropriate.

11 The focus of the Committee has been both process
12 and procedural type items and exploration of policy
13 questions that need to come before the Board. As you'll
14 see in a moment, the GEOC as directed by your Board has
15 taken action on many of those procedural type issues that
16 have been raised with the understanding that the Board
17 will provide any policy direction.

18 The GEOC has been meeting over the last
19 two-and-a-half years and has provided direction and
20 oversight to the documentation project, implementation of
21 GMS, the implementation of the web tool, and has taken a
22 number of actions to clarify or streamline our grant
23 processes.

24 --o0o--

25 CHIEF DEPUTY DIRECTOR NAUMAN: On this slide

1 you'll see a number of actions that GEOC has taken. I'm
2 not going to go into detail on this. You have them in the
3 attachment. But you'll see it's the web tool and
4 application, reviewing, and scoring processes that have
5 seen some change, standardizing application completeness
6 determination, and standardizing the web pages and forms.

7 --o0o--

8 CHIEF DEPUTY DIRECTOR NAUMAN: In addition, as a
9 result of the Board's direction, staff have proposed and
10 received approval to implement additional streamlining
11 actions either through GEOC oversight or through the
12 agenda item process as noted in the slide. Also, of
13 course, is the five-year tire management plan where you as
14 a Board have engaged in some consolidation of tire-related
15 grant programs and other streamlining steps.

16 --o0o--

17 CHIEF DEPUTY DIRECTOR NAUMAN: The
18 recommendations that we'll be presenting today resulted
19 from an internal request for ideas and suggestions for
20 simplifying or streamlining our programs. Staff were
21 asked for their suggestions, which were then reviewed and
22 discussed by the Grants Executive Oversight Committee.
23 Both the Board and the Committee then directed staff to
24 obtain external input, which was accomplished in a few
25 different ways.

1 --o0o--

2 CHIEF DEPUTY DIRECTOR NAUMAN: Staff solicited
3 feedback on existing staff suggestions as well as
4 additional ideas and input that we received from other
5 sources at a variety of existing venues. And those were
6 primarily related to tire and used oil and HHW programs,
7 because the largest number of our grantees participate in
8 those programs. Meetings and discussions were held at
9 venues such as the HHW Information Exchanges, the Tire
10 Conference, and Round Table meetings. Staff also used the
11 annual evaluation survey that is sent to grantees at the
12 end of each cycle to solicit input and also used a mass
13 mailing to all grantees that noted some specific
14 suggestions for change and requested input on those.

15 --o0o--

16 CHIEF DEPUTY DIRECTOR NAUMAN: We received a
17 number of suggestions from our external stakeholders.
18 Many of them were very much in line with the suggestions
19 we had gathered from staff. Some were very simple
20 procedural changes that have been made or will be very
21 straightforward changes. Others were really far more
22 global and raised more complex issues for implementation.

23 So today, seven recommendations are being
24 presented to you that we believe can either be implemented
25 immediately or where development can begin immediately.

1 These recommendations are primarily procedural in nature
2 and normally would be handled through GEOC and would not
3 require direct Board action. But we've decided to bring
4 these to you today as part of this overview so you can see
5 the kinds of changes that we're suggesting and get a
6 better sense of how the whole process is working.

7 We certainly have not completed our analysis of
8 the remaining suggestions, and that's why they're not here
9 before you today. We will continue to do that and move
10 ahead with those that are procedural in nature and of
11 course bring forward to you those that are more policy
12 related. These additional ideas and suggestions
13 constitute what we kind of call our B list that we'll
14 continue to work on. And I'll give you kind of a preview
15 of what those look like so you can get a sense of what
16 we're looking at and you can clearly see those that would
17 require Board action.

18 --o0o--

19 CHIEF DEPUTY DIRECTOR NAUMAN: There's been some
20 interest in revisiting the geographical distribution
21 policy that the Board established a number of years ago
22 dividing grant funds for any cycle between Northern
23 California and Southern California. Some of our programs
24 have received exemptions from that policy on a case by
25 case basis, and there's an interest in having a further

1 dialogue with you about its effectiveness.

2 There's also interest in revisiting for purposes
3 of firming up our recycled content policy requirements.
4 We've deviated from program a bit from the main direction
5 that was interested a number of year ago again on a case
6 by case basis bringing those items forward to the Board.
7 But, again, there is not consistency now across our
8 programs.

9 There's been some interest in pursuing how to
10 combine grant programs to eliminate applications for
11 non-competitive grants, consolidating similar grant
12 programs and applications, multi-year grant funding. And
13 finally an item that is mentioned in your agenda item, the
14 whole notion of a pre-qualification format.

15 --o0o--

16 CHIEF DEPUTY DIRECTOR NAUMAN: So future steps.
17 We will continue to bring policy questions to the Board
18 for resolution. We will continue to examine processes and
19 procedures for improvement. And we will continue to
20 utilize the GEOC for oversight and implementation of Board
21 action.

22 So unless you have any questions about this part
23 of the presentation, I'd like to now turn it over to Rubia
24 to review with you each of the recommendations that we're
25 proposing today.

1 CHAIRPERSON MARIN: I have seen some of the
2 recommendations. Should we take each recommendation and
3 vote or take it all as a whole? I don't know if there is
4 a preference.

5 CHIEF DEPUTY DIRECTOR NAUMAN: If you'd like a
6 suggestion, I'd like to just present all of them. You can
7 see the full array. And if there are questions or
8 comments, we can address them.

9 CHAIRPERSON MARIN: I like them all.

10 CHIEF DEPUTY DIRECTOR NAUMAN: I'm glad you like
11 them all. That was our goal.

12 CHAIRPERSON MARIN: That's fine. Go Rubia.

13 --o0o--

14 ASSISTANT DIRECTOR PACKARD: Good afternoon,
15 Madam Chair and Board members. Rubia Packard with the
16 Executive Office, as Julie said helping with the grants
17 streamlining over the last several years. And I will walk
18 you through these recommendations.

19 I think you'll find, as Julie indicated, many of
20 them are fairly simple procedural types of things or just
21 customer service type of things that we would like to
22 implement. And I don't believe you'll have any problem
23 with them.

24 The first recommendation is to actively encourage
25 the use of a master resolution covering a five-year period

1 from local jurisdictions for all grant programs. We have
2 used this five-year resolution in the past. It has been
3 available but not used by many jurisdictions. So what we
4 would like to do is create a template for jurisdictions
5 and then really actively encourage them to use it.

6 The concern with this -- the benefit for
7 jurisdictions is that they will not be required to appear
8 before their governing bodies every year, as they do now.
9 The timing of that can be problematic relative to our need
10 to get the information in on time and have the application
11 and the agreement be complete for the award. So it will
12 give jurisdictions some flexibility. However, we are
13 aware that some jurisdictions may not be able to take
14 advantage of these options based on their requirements of
15 their own governing bodies. There are some that will not
16 allow them to apply.

17 BOARD MEMBER MULÉ: It's okay, Rubia, as long as
18 we give them the option.

19 ASSISTANT DIRECTOR PACKARD: That's
20 recommendation number one. Thank you.

21 --o0o--

22 ASSISTANT DIRECTOR PACKARD: Recommendation
23 number two is to develop a process to allow electronic
24 submittal of grant applications and annual and final
25 reports. Applicants would be able to submit their

1 applications and reports electronically via e-mail or
2 web-based program eventually. And again, this process
3 would simplify and for us eliminate waste.

4 CHIEF DEPUTY DIRECTOR NAUMAN: If I could
5 interject. There's also another component to this that's
6 not ready for prime time. We're very interested in seeing
7 if we can do payment submittals, request for payment
8 submittals electronically. We have some issues. Tom's
9 staff won't let us do it yet. They blame it on the
10 Controller, but we're going to keep working on it. So
11 that's a piece. You don't see it in writing. We're
12 working on it.

13 CHAIRPERSON MARIN: That would be awesome.

14 ASSISTANT DIRECTOR PACKARD: So in terms of
15 implementation, we could do the e-mail submittal we hope
16 within two or three months. There's some procedural kinds
17 of things and making sure everybody knows where it goes
18 and what to do with it. Submittal via a web-based format
19 will take longer, and I'm not sure we've talked in detail
20 yet to IWB about how long that will take, but we'll
21 explore that and certainly keep you apprised of how long
22 that process would take.

23 --o0o--

24 ASSISTANT DIRECTOR PACKARD: Recommendation three
25 is to combine multiple grant awards or projects from the

1 same jurisdiction and cycle into one grant agreement.
2 There's two types of situations where this occurs. The
3 first is grant projects that have been split because they
4 were funded from an A and B list when we had to do a
5 re-allocation and have been able to fund an entire project
6 through the first allocation.

7 The second is when multiple tire program grant
8 projects for the same grant program from the same
9 jurisdiction are funded and separate agreements are
10 required. And, for example, one jurisdiction received 13
11 separate grant awards for RAC projects in fiscal year
12 2004-2005, and each grant award as on a separate grant
13 agreement. So we'd like to be able to revise the grant
14 agreements to include those subsequent awards if it's for
15 the same project and the same jurisdiction.

16 In terms of implementation, we can do this
17 immediately, and all tire program grants with local
18 jurisdictions would be able to do this immediately.

19 --o0o--

20 ASSISTANT DIRECTOR PACKARD: The fourth
21 recommendation is to authorize grant time extensions
22 beyond three fiscal years for specific programs where
23 funds are continuously appropriated to be approved by the
24 Executive Director. Time extensions of this nature would
25 only apply to grants funded by the Solid Waste Disposal

1 Site Cleanup Trust Fund and the California Used Oil
2 Recycling Fund Programs.

3 Staff believes that these are -- approval of time
4 extensions would avoid additional time delays. They are
5 administrative in nature, as they would not affect any
6 other terms and conditions of the grant projects as
7 approved by the Board. And we can describe to you a
8 little more in detail the types of extensions that we've
9 had in the past if you are -- all that information is in
10 your agenda item. But we can go over those examples in
11 more detail if you wish.

12 --o0o--

13 ASSISTANT DIRECTOR PACKARD: Recommendation
14 number five is to develop a standard application cover
15 sheet for use by all Board grant programs. Again, this is
16 a simple procedural thing that we can do to just make life
17 easier for our stakeholders as well as easier for us when
18 the applications come in. And we could do this. And we
19 would work on this and do this within the next couple of
20 months for all grant programs.

21 --o0o--

22 ASSISTANT DIRECTOR PACKARD: Recommendation
23 number six is to eliminate general checklist of business
24 permits, licenses, and filings, the CIWMB 669. This is a
25 requirement for local jurisdictions that we're

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1 recommending that we eliminate this requirement for local
2 jurisdictions for those grants that still require this
3 checklist. Staff have come to the Board on some specific
4 grant programs and gotten an exemption from this
5 requirement.

6 Currently, local governments are required to
7 obtain all necessary business permits, licenses, and
8 filings regardless of whether the Board also requires
9 them. Our applications also have a standard language that
10 requires the grantee to be in compliance with all
11 applicable laws and regulations. So they have to sign a
12 certification that they are in compliance.

13 Some Board grant programs fund activities that
14 requires no business permits, such as the Local
15 Enforcement Agencies, Tire Enforcement Grants, and Used
16 Oil Block Grants, making the form unnecessary for some
17 programs. Additionally, it is very difficult for the
18 Board staff to identify which local permits and licenses a
19 jurisdiction might have to have, especially if it has
20 nothing to do with the grant program. So we are
21 recommending that we eliminate this for local
22 jurisdictions.

23 --o0o--

24 ASSISTANT DIRECTOR PACKARD: And the final
25 recommendation is to allow grant awards to be rounded to

1 the nearest dollar. This recommendation creates quite a
2 few headaches for our accounting staff and for staff
3 tracking dollar amounts of the grants. So we're
4 recommending that we allow -- or require grants to be
5 rounded up or down as appropriate so they're even. And
6 we'll implement this one immediately as well for all grant
7 programs.

8 So those are our recommendations. And if you
9 have any questions, we'll be happy to answer.

10 CHAIRPERSON MARIN: Thank you, Rubia.

11 Just to give some background to the new Board
12 members, I just want you to know a year ago the Board met
13 as a group, and these were some of the things we
14 specifically asked the staff to do when we developed the
15 things we needed to do system-wide. And we charged them
16 with it throughout the year.

17 One of the greatest things about this Board is
18 that we get a lot of public input. And we heard
19 specifically from the rural counties. We heard from the
20 cities. We talked a lot about whenever we were developing
21 grants how it could be better implemented. And they went
22 to task. So it has been vetted, if nothing else.

23 Of course, we have one speaker. And without
24 further discussion, let me just bring Mr. Cedar Kehoe --
25 Ms. Cedar Kehoe.

1 MS. KEHOE: Definitely female.

2 CHAIRPERSON MARIN: I'm so very happy that you
3 are a female. But I did meet somebody with this name who
4 was a male.

5 MS. KEHOE: Really? I only know two Cedars, and
6 they're both female. But I believe you.

7 I'm here and I represent the city of Elk Grove.
8 My title is Integrated Waste Program Manager. Name, Cedar
9 Kehoe. But I'm actually here because I represent hundreds
10 of people who care about this issue. Although I am one, I
11 am many.

12 So let me start by saying that I did not get some
13 grants going well in my favor. And I took on an interest
14 of this topic. And when I did, I heard all sorts of
15 outreach and issues from various stakeholders about the
16 way the grant cycle was working. For that, I then
17 scheduled for the Northern California Informational
18 Exchange Group a meeting to discuss grants and to get
19 feedback from the entire professional group. I brought
20 that to this group to talk about some very important
21 topics and where we came to agreement. Some of those
22 items are in fact some of the recommendations being
23 presented today, therefore I support everything you're
24 doing today.

25 But I want to point out as well as we started

1 this cycle back in 2002. It's now 2006. I really think
2 there needs to be a look at the way the bureaucracy
3 evolved in this process. It should not have taken so long
4 to get some of these very simple steps implemented.

5 And so what I task you to do is actually look at
6 your process, look at how you started it, look at where
7 you are today, and see if there was a way we could have
8 streamlined some of those steps so we can all benefit from
9 the timelier action and the program efficiencies, because
10 I believe there's something to gain here for the Waste
11 Board to look at that.

12 One of the things that was raised by many of the
13 Waste Board staff is that their own staff wants to be able
14 to look at how to deal with their grants, streamline their
15 grants, and kind of manage their grants. But they can't
16 do a lot of it. It has to go to various levels and
17 various people. So they can't do even simple approvals of
18 things. And I would really ask that be seriously looked
19 at.

20 CHAIRPERSON MARIN: Can you give me an example?

21 MS. KEHOE: Let's say I want to buy an item. But
22 in my original grant, I said it was going to be a paint
23 can crusher. Now I've decided I want to make it a paint
24 bulker. Both of them are on my qualified list, but I only
25 wrote one in my application. I didn't write the other. I

1 have to go through an extensive approval process to get
2 the change done.

3 What I present to you would be the example where
4 the Board -- the manager could just approve it.
5 Streamline this stuff. We don't need all this
6 bureaucracy. That's what I'm asking you to look at.
7 Those sorts of examples can make the system more
8 efficient.

9 CHAIRPERSON MARIN: Let me just tell you,
10 Ms. Kehoe. I don't want to interrupt you, but otherwise
11 I'm going to forget. I would believe that our process
12 would not be that restrictive. But I will take your word
13 for it. We're going to change that.

14 MS. KEHOE: It's just an example off the top of
15 my head. I'm just trying to give you something.

16 CHAIRPERSON MARIN: If it has not, it will be
17 changed.

18 MS. KEHOE: I only said that because it actually
19 came from one of your own staff in the meetings we had.
20 So that's why.

21 CHAIRPERSON MARIN: I appreciate that. I believe
22 that that would not be relevant anymore.

23 MS. KEHOE: Good. That would be good.

24 I personally just want to thank Julie for taking
25 the time to call me on Friday to let me know this item had

1 come before the Board.

2 The concern I have there is that I put a lot of
3 effort in this, and I didn't even know this was on
4 calendar. And if, in fact, you truly value the
5 stakeholders, it would make us feel more valued if you
6 would let us know it was going forward. And so for that I
7 really thank Julie for doing that.

8 In closing, it's really important to involve your
9 stakeholders. We can't keep up on all this stuff. It's
10 so much and it's so involved, you really got to make a
11 strong effort to get us informed. Thank you.

12 CHAIRPERSON MARIN: Thank you, Ms. Kehoe.

13 I will tell you that we have publicly gone out
14 there throughout the entire year -- that's why I said the
15 public process. Personally, I have not seen you at many
16 of these forums. But we did hear very loud and very clear
17 from many of the cities and the jurisdictions. I
18 personally have visited 47 counties and talked about how
19 do we best improve this. And I'm very, very happy to see
20 the product.

21 Now let me assure you that this will be widely
22 disseminated once we approve this change in processes. I
23 can tell you there will be a lot of counties and cities
24 and other stakeholders that will be very, very happy to
25 hear that finally this is taking place. So thank you for

1 your comments.

2 I want to make it easier on the \$1 deal, the
3 rounding up of the dollar. Can we do it to \$100?
4 Wouldn't that be best for accounting purposes? I mean,
5 what's the difference between 12,355 versus 12,300?

6 CHIEF DEPUTY DIRECTOR NAUMAN: Tom's nodding.

7 CHAIRPERSON MARIN: Good. If that's okay with
8 our Board members. Unless they -- okay. That's the one
9 in particular I have. But I've just got to tell you, this
10 is exactly what I had personally envisioned when we had
11 our request to staff for streamlining processes. And I
12 know there is more to come. But this is a great first
13 step. And both Julie and Rubia, thank you so very much.
14 I know you spent an inordinate amount of time putting this
15 together.

16 I know Ms. Peace is just jumping here.

17 BOARD MEMBER PEACE: I think Tom was ready to
18 respond to that rounding.

19 MR. ESTES: No. I think we can factor this in.
20 It will have to come in with some application
21 instructions.

22 BOARD MEMBER MULÉ: Madam Chair, I just want to
23 make a few comments as well.

24 CHAIRPERSON MARIN: Go ahead.

25 BOARD MEMBER MULÉ: First of all, thank you,

1 Julie. Thank you, Rubia. I've mentioned this quite a few
2 times at Committee meetings and Board meetings that we
3 really needed to take a look at this, not knowing that you
4 were already in the process of doing so.

5 I do want to respond, though, to Cedar's comment
6 about it taking so long to get to this point. I think one
7 of the things that I've observed being on the Board a
8 little more than a year and a half, and I know, Madam
9 Chair, you have too, is that our staff was pulled in so
10 many different directions that they really didn't have the
11 opportunity to focus on this. Because you were told one
12 day to do this project, and then the next day you were
13 pulled on another project.

14 But that was the purpose of our Board retreat
15 last year was to develop some priorities for the sake of
16 the new Board members, is to develop priorities, and give
17 our staff that direction so that they weren't being pulled
18 in 100 different directions, that they could actually
19 focus on this. And as a result, they were able to focus.
20 They were able to put some resources in place and get this
21 done.

22 And so again, I want to thank you, all of the
23 staff, for all of your efforts. And I want to thank all
24 of the stakeholders for all of their input as well. This
25 is a good beginning. It's a good start. I know we've got

1 a lot of work to do. But, again, it's a good start, and I
2 want to thank you all for getting this done to the point
3 where we are. Thank you.

4 BOARD MEMBER PEACE: I just want to thank staff,
5 too. This is a good start. And I really look forward to
6 the discussion on the question of the recycled product
7 procurement -- recycled content procurement policy on
8 whether there should be a scoring criteria versus an
9 eligibility requirement.

10 CHAIRPERSON MARIN: Let me guess.

11 Okay. Because this motion was set in Resolution,
12 we need to adopt the Resolution. Is there a motion, with
13 the \$100 rounding up?

14 BOARD MEMBER MULÉ: I'd like to move Resolution
15 2006-13 Revised to include rounding to the nearest \$100.

16 BOARD MEMBER PEACE: Second.

17 CHAIRPERSON MARIN: Moved and seconded.

18 Call the roll.

19 EXECUTIVE ASSISTANT BAKULICH: Mulé?

20 BOARD MEMBER MULÉ: Aye.

21 EXECUTIVE ASSISTANT BAKULICH: Peace?

22 BOARD MEMBER PEACE: Aye.

23 EXECUTIVE ASSISTANT BAKULICH: Petersen?

24 BOARD MEMBER PETERSEN: Aye.

25 EXECUTIVE ASSISTANT BAKULICH: Wiggins?

1 BOARD MEMBER WIGGINS: Aye.

2 EXECUTIVE ASSISTANT BAKULICH: Marin?

3 CHAIRPERSON MARIN: Aye.

4 Thank you so much. We had a great 2005. God
5 willing, we will have a much better 2006. I want to thank
6 everybody for doing such a wonderful job. Thank you, all.

7 We will go into closed session. Mr. Block, why?

8 STAFF COUNSEL BLOCK: The Board will be going
9 into closed session to discuss pending litigation pursuant
10 to Government Code Section 11126(e).

11 CHAIRPERSON MARIN: Thank you. Without any items
12 over -- I just want to make one note, one minor change in
13 time for the next Board meeting. It happens to be
14 Valentine's Day. So we are going to move it up. We
15 usually start our Board meeting at 9:30, and this time it
16 will be at 7:30. No, I'm kidding. No. 9:00 we'll start
17 next month's meeting.

18 (Thereupon the Board recessed into closed
19 session at 1:10 p.m.)

20 (Thereupon the California Integrated Waste
21 Management Board, Board of Administration
22 adjourned at 1:40 p.m.)

23

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1 CERTIFICATE OF REPORTER

2 I, TIFFANY C. KRAFT, a Certified Shorthand
3 Reporter of the State of California, and Registered
4 Professional Reporter, do hereby certify:

5 That I am a disinterested person herein; that the
6 foregoing hearing was reported in shorthand by me,
7 Tiffany C. Kraft, a Certified Shorthand Reporter of the
8 State of California, and thereafter transcribed into
9 typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said hearing nor in any
12 way interested in the outcome of said hearing.

13 IN WITNESS WHEREOF, I have hereunto set my hand
14 this 30th day of January 2006.

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23 TIFFANY C. KRAFT, CSR, RPR

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